

# CHAPTER 101 TRAFFIC CODE

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## 101-1 Traffic Code

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### 101-1. Title and Adoption of State Laws.

1. TITLE. Chapter 101 shall be known and may be referred to and cited as The Milwaukee Traffic Code.

2. ADOPTION OF STATE LAWS. The city of Milwaukee adopts chs. 340, 341, 342, 343, 345, 346, 347, 348, 349, 941.01 and 941.03, Wis. Stats., 1975, and all subsequent amendments thereto defining and describing regulations with respect to vehicles and pedestrians and traffic for which the penalty is a forfeiture only, including but not limited to provisions for stipulation, conditions of deposit or bail, penalties unless another provision for such penalties, provisions for stipulation, conditions of deposit or bail is provided in this chapter.

(HISTORY: Section 101-1 cr. File #70-1621, Jan. 18, 1972.

101-1 am. File #74-1381, Jan. 2, 1975.

101-1-2 am. File #78-840, Oct. 3, 1978.)

**101-2. Display of Registration Plates.** 1. CITY ADOPTS STATE RULE. The city of Milwaukee adopts s. 341.15, Wis. Stats., 1969, and all subsequent amendments thereto.

2. PENALTY. Upon conviction of a violation of s. 341.15, Wis. Stats., 1969, so adopted, the court shall enter a judgment of forfeiture against the violator, payable to the city, within the range of forfeitures provided by statute for violation of such section in addition to taxable costs and, in default of payment thereof, order confinement in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 30 days.

(HISTORY: Section 101-2 cr. File #70-1621, Jan. 18, 1972.

101-2-2 am. File #72-1174-c, Oct. 3, 1972.)

**101-3. Rules of the Road.** 1. CITY ADOPTS STATE RULE. The city of Milwaukee adopts ch. 346, Wis. Stats., 1969, and all subsequent amendments thereto defining and describing regulations with respect to vehicles and traffic for which the penalty is a forfeiture only, including penalties to be imposed; except as provided in s. 101-34. Excluded from this general adoption of ch. 346, Wis. Stats., is s. 346.94(4), Wis. Stats. The city of Milwaukee also adopts s. 346.63(1), Wis. Stats., prohibiting driving or operating a motor vehicle while under the influence of an intoxicant or a controlled substance or a combination of an intoxicant and a controlled substance while that person has a blood alcohol concentration of more than 0.0 but not more than 0.8.

2. PENALTY. Upon conviction of a violation of any section of ch. 346, Wis. Stats., 1969, so adopted, the court shall enter a judgment of forfeiture against the violator, payable to the city, within the range of forfeitures provided by statute for violation of such section in addition to taxable costs and, except as provided in s. 101-34, in default of payment thereof, order confinement in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 30 days. The municipal court shall suspend an operator's license for violation of the Milwaukee ordinance enacted in conformity with s. 346.63(1), Wis. Stats.

(HISTORY: Section 101-3 cr. File #70-1621, Jan. 18, 1972.

101-3-1 rc. File #72-1174-c, Oct. 3, 1972.

101-3-2 am. File #72-1174-c, Oct. 3, 1972.

101-3 am. File #81-1454, Feb. 9, 1982.

101-3 am. File #81-2095, April 20, 1982.

101-3-2 am. File #871080, Oct. 27, 1987; eff. Nov. 13, 1987.

101-3-1 am. File #020454, Aug. 1, 2002; eff. Aug. 20, 2002.

101-3-1 am. File #040631, Sept. 21, 2004; eff. Oct. 8, 2004.)

### 101-3.5. Operators to be Licensed.

1. LICENSE REQUIRED. Except as provided in sub. 3, no person may operate a motor vehicle upon a highway in this city

unless the person has a license issued to him or her by the Wisconsin department of transportation, which license is not revoked, suspended, canceled or expired. A valid chauffeur's license satisfies the requirements of this section only when the licensee is operating a vehicle in the performance of his or her duties as chauffeur. No person may operate a motor-driven cycle unless the person possesses a valid operator's license which has been specifically endorsed for motor-driven cycle operation. No person may operate a moped unless the person possesses a valid operator's license or a special restricted operator's license issued under s. 343.135, Wis. Stats. No person may operate a motor bicycle unless the person possesses a valid operator's license or a special restricted operator's license issued under s. 343.135, Wis. Stats.

**2. REVOCATION.** This section shall not apply to any person operating a motor vehicle upon a highway in this state when such person's license is revoked or suspended.

**3. PERSONS EXEMPT.** The following are exempt from the licensing requirements of this section:

a. Any person in the armed services while operating a motor vehicle owned by or leased to the United States government.

b. Any person while operating any farm tractor or implement of husbandry temporarily operated or moved on a highway.

c. Any nonresident of this state who is at least 16 years of age and who has in his immediate possession a valid license issued to him in his home jurisdiction.

d. Any nonresident of the United States who holds an international driving permit or a valid operator's license issued by a country which is signatory to either the 1943 regulation of inter-American automotive traffic or the 1949 Geneva convention on road traffic.

e. Any nonresident of the United States who holds an international driving permit or a valid operator's license issued by West Germany, Mexico or Switzerland or by any other nation having a reciprocal agreement with the United States concerning driving privileges.

f. Exemptions under pars. d and e shall be for a period of one year only.

**4. FORFEITURE.** Any person violating sub. 1 shall forfeit not more than

\$100, and in default thereof shall be imprisoned in the Milwaukee county jail for a period not to exceed 30 days.

*(HISTORY: Section 101-3.5 cr. File #84-668, July 26, 1984.)*

**101-4. Equipment of Vehicles. 1. ADOPTION OF STATE LAW.** The city of Milwaukee adopts chs. 110 and 347, Wis. Stats., 2001-2002, and all subsequent amendments thereto defining and describing regulations for which the penalty for violation thereof is a forfeiture only, including penalties to be imposed.

**2. MALFUNCTIONING HORNS A NUISANCE.** If an automobile horn, as provided for by s. 347.38, Wis. Stats., malfunctions on public or private property within the limits of the city and emits an audible continuous sound for more than 3 minutes, and if the operator or owner of the vehicle cannot be located after a reasonable attempt to find said operator or owner, the malfunctioning horn shall be deemed a nuisance, and the police department shall summarily abate the nuisance by any reasonable means.

**3. PENALTY.** Upon conviction of a violation of any section of chs. 110 or 347 Wis. Stats., 2001-2002, so adopted, the court shall enter a judgment of forfeiture against the violator, payable to the city, within the range of forfeitures provided by statute for violation of such section in addition to taxable costs and in default of payment thereof order confinement in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 30 days.

*(HISTORY: Section 101-4 am. File #78-311, Oct. 24, 1978.*

*101-4-1 am. File #031495, March 19, 2004; eff. April 7, 2004.*

*101-4-3 am. File #031495, March 19, 2004; eff. April 7, 2004.)*

**101-4.5. Adoption of State Administrative Code for Vehicle Equipment and Safety Standards. 1. ADOPTION OF ADMINISTRATIVE REGULATION.** The city of Milwaukee adopts chs. Trans. 305, 325, 326 and 327, Wis. Adm. Code, as amended, with respect to defining and describing motor vehicle equipment standards and motor carrier safety regulations.

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2. PENALTY. Upon conviction of a violation of any section of chs. Trans. 305, 325, 326 and 327, Wis. Admin. Code, so adopted, the court shall enter a judgment of forfeitures provided by statute or administrative regulation for violation of such section in addition to taxable costs and in default of payment thereof order confinement in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 30 days.

(HISTORY: 101-4.5 cr. File #872020, March 8, 1988; eff. March 25, 1988.

101-4.5 am. File 970131, May 13, 1997; eff. May 31, 1997.

101-4.5 rc. File #031495, March 19, 2004; eff. April 7, 2004.)

**101-5. Size, Weight and Load.** 1. ADOPTION OF STATE LAW. The city of Milwaukee adopts ch. 348, Wis. Stats., 1999-2000, and all subsequent amendments thereto defining and describing regulations for which the penalty for violation thereof is a forfeiture only including penalties to be imposed.

2. PENALTY. Upon conviction of a violation of any section of ch. 348, Wis. Stats., 1999-2000, so adopted, the court shall enter a judgment of forfeiture against the violator, payable to the city, within a range of forfeitures provided by statute for violation of such section in addition to costs of prosecution and in default of payment thereof order confinement in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 30 days.

(HISTORY: Section 101-5-1 am. File #72-1174-c, Oct. 3, 1972.

101-5-2 am. File #72-1174-c, Oct. 3, 1972.

101-5-3 rc. File #79-161, June 12, 1979.

101-5-3-a am. File #920247, June 16, 1992; eff. July 3, 1992.

101-5-3-e cr. File #920247, June 16, 1992; eff. July 3, 1992.

101-5-1 am. File #010677, Sept. 25, 2001; eff. Oct. 12, 2001.

101-5-2 am. File #010677, Sept. 25, 2001; eff. Oct. 12, 2001.

101-5-3 am File #010677, Sept. 25, 2001; eff. Oct. 12, 2001.

101-5-3 rp File #010677, Sept. 25, 2001; eff. Oct. 12, 2001.)

### 101-5.5. Excessive Size, Weight and Load Permit.

1. REQUIRED BY VEHICLE OPERATOR. a. No person may operate on a highway within the city any vehicle having a total width in excess of 8-1/2 feet, an overall height in excess of 13-1/2 feet, an overall length in excess of 75 feet, or a total weight of more than 80,000 lbs., even if a permit has been issued by the state of Wisconsin, without obtaining a permit from the commissioner of public works.

b. A permit is valid only for the vehicle and load described in the application and permit.

c. A fee shall be paid in accordance with s. 81-80 prior to issuance of the permit.

2. INSURANCE AND LIABILITY CONDITIONS. a. A permittee shall certify, and may be required to present satisfactory written evidence, that the following insurance coverage or a bond in a form satisfactory to the commissioner of public works will be in effect for the vehicle and load designated in the permit while operating on the public highway, unless this requirement is expressly waived by the commissioner of public works:

Bodily injury liability – each person	\$150,000
Bodily injury liability – each accident	\$450,000
Property damage liability – each accident	\$300,000
or, Combined single limit	\$750,000

b. A permittee shall hold the city, its officers, employees and agents harmless from any claim which may arise from granting of the permit or which may result from operation over public highways under the permit.

c. A permittee shall pay any claim for any bodily injury or property damage resulting from operation under the permit for which the permittee is legally responsible.

3. GENERAL CONDITIONS AND REQUIREMENTS. a. The permit may designate the route to be traversed and may contain any other condition or restriction deemed necessary by the commissioner of public works.

b. The commissioner of public works may for good cause suspend or revoke the permit or may decline to issue additional permits.

c. When a vehicle operating under a permit is overheight, the permittee shall give

prior notice to the owners of overhead wires, cables, structures or other facilities which may be affected.

d. When a vehicle operating under a permit is overheight, the permittee is responsible for ensuring that the vehicle clear, by at least 3 inches, all overhead structures along the route.

e. The commissioner of public works may require a traffic officer to accompany a vehicle operating under a permit through the city if the vehicle has a total width in excess of 12 feet, an overall height in excess of 13-1/2 feet, an overall length in excess of 75 feet, or a total weight in excess of 150,000 pounds. An additional fee for the officer's service shall be paid by the permittee in accordance with s. 81-80 prior to issuance of the permit.

f. Permits shall be carried on the vehicle during operations so permitted and presented to any city official upon request.

g. A permit is not valid during periods when adverse weather or road conditions, such as fog, smoke, heavy rain, snow or ice, or wind velocity, impair the safety of a movement under the permit.

h. The granting of a permit shall not be considered as a guarantee of the sufficiency of any highway or structure transported upon.

i. The commissioner of public works shall charge a special investigation fee when it is deemed necessary because of the size or weight of the load or of the route to be traveled. The fee shall be charged for services including but not limited to bridge load calculations and field measurements. The special investigation fee shall be paid by the permittee in accordance with s. 81-49.5.

j. The commissioner of public works shall charge an additional fee for the actual cost incurred for protecting, adjusting, moving, or otherwise altering city facilities to accommodate the movement of excessive loads.

**4. MULTIPLE TRIP PERMIT.** a. The commissioner of public works may issue a multiple trip permit for any vehicle that is not required to have a traffic officer accompany it through the city.

b. The multiple trip permit shall be effective for a period of one month or 6 months.

c. A fee shall be paid in accordance with s. 81-80 prior to issuance of the permit.

d. A multiple trip permit issued for 6 months may be transferred within the same 6 month period to another vehicle upon proper application to the commissioner of public works. A fee shall be paid in accordance with s. 81-80 to transfer the permit.

e. A multiple trip permittee shall comply with all applicable statutes, ordinances, and administrative rules, including the conditions and requirements of a single trip permittee, unless they are modified by the conditions of the permit.

f. A multiple trip permit shall not be valid to transport loads or articles which could reasonably be divided in a manner as to allow transporting of loads or articles in 2 or more loads that are not oversize or overweight, nor may the permit be valid for the transporting of more than one article if the vehicle, load or vehicle and load is overweight.

g. The maximum size and weight limitations authorized by a multiple trip permit shall not be exceeded.

**5. MULTIPLE TRIP PERMIT REQUIRING TRAFFIC OFFICER ESCORT.**

a. The commissioner of public works may issue a multiple trip permit for any vehicle that is required to have a traffic officer accompany it through the city.

b. The multiple trip permit requiring a traffic officer escort shall be issued for a period of one month or 2 months.

c. A fee shall be paid in accordance with s. 81-80 prior to issuance of the permit.

d. The permittee shall allow adequate time for the city to conduct its review when applying for the permit.

e. A multiple trip permittee requiring a traffic officer escort shall comply with all applicable statutes, ordinances, and administrative rules, including the conditions and requirements of a single trip permittee, unless they are modified by the conditions of the permit.

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f. The commissioner of public works may suspend the permit or change the designated route to be traversed during the effective date of the permit when deemed necessary.

*(HISTORY: Section 101-5.5-5 cr. File #050967, Dec. 13, 2005; eff. Dec. 30, 2005.)*

**6. PENALTY.** Any person who violates any provision of this section shall upon conviction forfeit not less than \$50 nor more than \$500 together with costs of prosecution, or in default of payment may be imprisoned in the county jail or house of correction for a period not to exceed 20 days.

*(HISTORY: Section 101-5.5 cr. File #010677, Sept. 25, 2001; eff. Oct. 12, 2001.*

*101-5.5-1-a am. File #040380, July 27, 2004; eff. Aug. 13, 2004.*

*101-5.5-1-d rp. File #040380, July 27, 2004; eff. Aug. 13, 2004.*

*101-5.5-3-a am. File #040380, July 27, 2004; eff. Aug. 13, 2004.*

*101-5.5-3-e am. File #040380, July 27, 2004; eff. Aug. 13, 2004.*

*101-5.5-4 rn. File #040380, July 27, 2004; eff. Aug. 13, 2004.*

*101-5.5-4 cr. File #040380, July 27, 2004; eff. Aug. 13, 2004.*

*101-5.5-5 to 6 rn. File #050967, Dec. 13, 2005; eff. Dec. 30, 2005.*

*101-5.5-5 cr. File 050967, Dec. 13, 2005; eff. Dec. 30, 2005.)*

**101-6. Designation of No Passing Zones.** The commissioner of public works is authorized to mark no-passing zones, which have been deemed by him to be required on the basis of engineering study, either by signs or by a yellow unbroken line on the pavement on the right hand side of and adjacent to the centerline of any highway.

*(HISTORY: Section 101-6 cr. File #70-1621, Jan. 18, 1972.)*

**101-7. Designation of Crosswalks. 1. BY COMMISSIONER OF PUBLIC WORKS.** The commissioner of public works is authorized to mark by appropriate devices, marks or lines upon the surface of the roadway, and to thereafter maintain crosswalks at the intersections and other places established by

ordinance where, in his opinion, there is particular danger to pedestrians crossing the roadway.

**2. NONINTERSECTION CROSSWALKS.** Marked pedestrian crosswalks are established at certain nonintersection locations listed in official files.

**3. DIAGONAL CROSSWALKS.** Marked pedestrian diagonal crosswalks are established at certain specific locations listed in official files. (Specific locations are to be found in the common council proceedings; the official record on file in the city clerk's office, and the code on file in the legislative reference bureau.

*(HISTORY: Section 101-7, rc. File #73-658, July 27, 1973.)*

**101-8. Designation of Safety Zones.** The commissioner of public works is authorized to mark, by appropriate signs, the area or space set apart within a roadway, by ordinance or resolution for the exclusive use of pedestrians, including those about to board or alight from public conveyances. *(HISTORY: Section 101-8 cr. File #70-1621, Jan. 18, 1972.)*

**101-9. Designation of Prohibited Pedestrian Crossings. 1. TO INSTALL SIGNS.** Pedestrian crossings are prohibited at certain locations and the commissioner of public works shall install appropriate signs and, when deemed necessary, erect barricades to indicate that pedestrians are prohibited from crossing at the following locations:

Specific locations are to be found in the common council proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

**2. PENALTY.** Any pedestrian violating this section shall upon conviction be punished by a forfeiture of not less than \$2 nor more than \$50, together with the cost of prosecution, and in default thereof shall be imprisoned in the house of correction or county jail for not less than one day nor more than 10 days.

*(HISTORY: Section 101-9 cr. File #70-1621, Jan. 18, 1972.*

*101-9-2 am. File #72-2206, Mar. 20, 1973.)*

**101-10. Designation and Marking of Intersections and Other Locations Where Right Turns Are Prohibited.** 1. NO RIGHT TURNS; LOCATIONS. Right turns are prohibited at certain locations, and the commissioner of public works shall install the proper signs and/or markings designating such prohibited movements.

Specific locations are to be found in the common council proceedings, the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

2. NO RIGHT TURNS ON RED SIGNAL; LOCATIONS. Right turns on red signal are prohibited at certain locations, and the commissioner of public works shall install the proper signs and/or markings designating such prohibited movements.

Specific locations are to be found in the common council proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

(HISTORY: Section 101-10 cr. File #70-1621, Jan. 18, 1972.

101-10 rn. File #75-420, June 17, 1975.

101-10-2 cr. File #75-420, June 17, 1975.)

**101-11. Designation and Marking of Intersections and Other Locations Where Left Turns Are Prohibited.** 1. NO LEFT TURNS; LOCATIONS. Left turns are prohibited at certain locations, and the commissioner of public works shall install the proper signs and/or markings designating such prohibited movements.

Specific locations to which this section applies are to be found in the common council proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

2. NO LEFT TURNS ON RED SIGNAL; LOCATIONS. Left turns on red signal are prohibited at certain locations, and the commissioner of public works shall install the proper signs and/or markings designating such prohibited movements.

Specific locations to which this section applies are to be found in the common council

proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

(HISTORY: Section 101-11 cr. File #70-1621, Jan. 18, 1972.

101-11 rn. File #75-420, June 17, 1975.

101-11-2 cr. File #75-420, June 17, 1975.)

**101-12. Designation of Locations Where Special Vehicular Traffic Movement is Required; U Turns; Lanes.** 1. CERTAIN MOVEMENTS PROHIBITED. The commissioner of public works shall, when authorized by the common council, place signs, signals, buttons or markings at certain locations, or adjacent thereto, indicating the course of travel to be prohibited.

2. U TURNS PROHIBITED. The operator of a vehicle shall not turn his vehicle so as to proceed in the opposite direction at certain locations, and the commissioner shall install the proper signs and/or markings designating such prohibited movement.

3. REVERSIBLE LANES. The commissioner of public works, when authorized by the common council, may designate certain streets, parts of streets or specific lanes thereon, upon which vehicular traffic shall proceed in one direction during one period and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers, signals or other devices to give notice thereof.

4. TURN LANES. a. Mandatory Turn Lanes. The commissioner of public works shall, when authorized by the common council, place signs, markings or appurtenances at certain locations, or adjacent thereto, indicating certain lanes are restricted to a particular movement.

b. Multiple Turn Lanes. The commissioner of public works shall, when authorized by the common council, place signs, markings and other appurtenances indicating that more than one lane has been set aside for the respective turning movement along with other attendant controls and/or restrictions as to lane use. Specific locations of special vehicular movements are to be found in the common council proceedings; the official record

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on file in the city clerk's office; and the code on file in the legislative reference bureau.

*(HISTORY: Section 101-12 cr. File #70-1621, Jan. 18, 1972.*

*101-12-4 am. File #71-2448, Feb. 29, 1972.)*

### 101-13. Designation and Marking of Speed Zones.

**1. TO INSTALL SIGNS.** The commissioner of public works shall install and maintain standard speed signs as deemed necessary to give adequate warning to users of the following highways and any other highways where the speed limit has been modified by ordinance and resolution.

**2. MAXIMUM SPEED 30 MILES PER HOUR.** Except as otherwise provided, the maximum permissible speed on through highways shall be 30 miles per hour, provided that the through highways:

a. Have a single roadway and have a width of 38 feet or greater.

b. Are divided highways and have a total or combined roadway width of 40 feet or greater, or

c. Are established as one-way streets and have a roadway width of 30 feet or greater.

d. Have rural type pavement which consists of two lanes for moving traffic, and shoulders in lieu of curb and gutter sections, where an engineering study and concurrence by the police department indicates 30 MPH would be a safe maximum speed.

**3. PARK OR RECREATION AREAS 15 MILES PER HOUR.** The maximum permissible speed on the indicated portions of certain streets and highways within the corporate limits of the city of Milwaukee that are within, contiguous or adjacent to a public park or recreation area shall be 15 miles per hour when children are going to or from or are playing within such area. This subsection shall not apply to streets or highways designated as through highways, state trunk highways, connecting highways on the state trunk system or county trunk highways.

**4. MAXIMUM SPEEDS VETERANS ADMINISTRATION, WOOD, WISCONSIN.**

a. Fifteen Miles per Hour. Except as hereinafter provided, the maximum permissible

speed on all streets, roadways, driveways, service drives, etc., of the Veterans Administration Center known as Wood, Wisconsin, lying between the stadium expressway and S. 56th street and between the east-west expressway and W. National avenue shall be 15 miles per hour.

b. Twenty Miles per Hour. The maximum permissible speed on certain streets and roadways of the Veterans Administration Center known as Wood, Wisconsin, lying between the stadium expressway and S. 56th street and between the east-west expressway and W. National avenue shall be 20 miles per hour.

**5. MAXIMUM SPEED 35 MILES PER HOUR.** The maximum permissible speed on portions of certain streets and highways, as listed, within the corporate limits of the city of Milwaukee shall be 35 miles per hour.

**6. MAXIMUM SPEED 40 MILES PER HOUR.** The maximum permissible speed on portions of certain streets and highways, as listed, within the corporate limits of the city of Milwaukee shall be 40 miles per hour.

**7. MAXIMUM SPEED 45 MILES PER HOUR.** The maximum permissible speed on portions of certain streets and highways, as listed, within the corporate limits of the city of Milwaukee shall be 45 miles per hour.

**8. MAXIMUM SPEED AT CERTAIN SCHOOL CROSSINGS.** The maximum permissible speed at certain school crossings, as listed, within the corporate limits of the city of Milwaukee, shall be 20 miles per hour.

Specific locations to which this section applies are to be found in the common council proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

*(HISTORY: Section 101-13 cr. File #70-1621-b, May 25, 1972.*

*101-13-7 rc. File #70-1621-b, May 25, 1972.*

*101-13-8 cr. File #76-1434, Jan. 18, 1977.)*

### 101-14. Temporary Signs and Signals.

**1. AUTHORITY AND NEED.** The commissioner of public works is authorized and directed to establish such temporary traffic



control measures as may be required as a result of street, bridge, viaduct, expressway, or utility construction projects, or any other project which requires temporary traffic controls. Such temporary measures shall include, but are not limited to, the establishment of temporary public transit routes; one-way streets and alleys; turn prohibitions; parking, speed, and trucking regulations; the installation of traffic control signals and stop signs, the painting of pavement markings; and the barricading of streets.

**2. TO NOTIFY PUBLIC.** The city traffic manager under authority of the commissioner of public works shall notify the press, radio and television stations, the mayor, each alderman affected, the city attorney, the department of public works, the police department and the fire department of substantial changes in the traffic pattern.

**3. REMOVAL OF SIGNS.** The commissioner of public works shall remove all signs, signals and appurtenances required for the temporary control of traffic within a reasonable period of time after the completion of that part of the project for which the temporary provisions have been made.

**4. TEMPORARY SIGNS, OFFICIAL.** All signs and signals erected pursuant to this section shall be official traffic signs and signals until they are removed.

*(HISTORY: Section 101-14 cr. File #70-1621, Jan. 18, 1972.)*

**101-15. Installation of Yield Right-of-way Signs.**

The commissioner of public works is authorized to install yield right-of-way signs at the following locations: Specific locations of signs are to be found in the common council proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

*(HISTORY: 101-15 cr. File #70-1621, Jan. 18, 1972.)*

**101-16. Installation of Stop Signs and Through Highway Signs. 1. STOP SIGNS.**

The commissioner of public works is authorized to install stop signs regulating traffic emerging

from alleys, private roadways, private driveways or garages; and shall erect and maintain stop signs or traffic control signals on every intersecting highway where traffic crosses or enters a through highway, and at other locations where needed in the interest of public safety as designated herein:

Specific locations are to be found in the common council proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

**2. THROUGH HIGHWAY SIGNS.** The following described highways and portions thereof are designated as through highways:

Specific locations and designations are to be found in the common council proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

**3. NO STOPPING SIGNS FOR RIGHT TURNS.** At the following locations, where stop signs have been installed, the commissioner of public works shall erect and maintain signs indicating that no stop is required for vehicles making a right turn:

Specific locations and designations are to be found in the common council proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

*(HISTORY: Section 101-16 cr. File #70-1621, Jan. 18, 1972.)*

**101-17. Service Road Stop Signs. 1. TO BE**

**INSTALLED.** The commissioner of public works may erect and maintain stop signs on every service road where traffic thereon enters or crosses another highway other than an alley.

**2. DEFINITION.** Service road is defined as a highway that runs generally parallel to, but is separated from the main roadway or roadways by a parkway or other physical barrier and is primarily intended to provide access to the abutting property and not for the use of through traffic.

*(HISTORY: Section 101-17 cr. File #70-1621, Jan. 18, 1972.)*

## 101-18 Traffic Code

### 101-18. Heavy Traffic of 3 Tons and Over.

1. PROHIBITED IN RESIDENTIAL DISTRICTS. Heavy traffic is prohibited in residential districts except on connecting highways in the state trunk highway system or on through highways which permit heavy traffic. The commissioner of public works may erect and maintain appropriate signs to inform the public of such prohibitions when necessary. Specific locations and designations may be found in the common council proceedings, the official record on file in the city clerk's office and the code on file in the legislative reference bureau.

2. UNATTENDED VEHICLES PROHIBITED. No operator of any semitrailer or truck tractor, as defined in s. 340.01(57) and (73), Wis. Stats., or any vehicle in excess of 3 tons may leave any such vehicle unattended on any street on which heavy traffic is prohibited under sub. 1. This section does not prohibit the temporary parking of such vehicles while they are being used to perform a service or make deliveries.

*(HISTORY: Section 101-18 cr. File #70-1621, Jan. 18, 1972.*

*101-18-2 and 3, am. File #78-1128, Oct. 24, 1978.*

*101-18 rc. File #881132, March 7, 1989; eff. March 25, 1989.)*

### 101-19. Temporary Restrictions on Heavy Trucking.

1. WEIGHT LIMITATIONS. The commissioner of public works is empowered to impose special weight limitation on any such highway or portion thereof which, because of weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of such special limitations. The commissioner of public works may permit by an order in writing the delivery of emergency supplies and fuel.

2. WEIGHT LIMITATION ON BRIDGES, ETC. The commissioner of public works is empowered to impose special weight limitations on bridges or culverts when in his judgment such bridge or culvert cannot safely maintain the maximum weight limitations permitted by statute.

3. AUTHORITY TO SUSPEND OPERATION. The commissioner of public works is empowered to order the owner or operator of any vehicle being operated on a highway to suspend operation if in his judgment such vehicle is causing or likely to cause injury to the highway or is visibly injuring the permanence thereof or the public investment therein, except when s. 84.20, Wis. Stats., 1969, is applicable or when the vehicle is being operated pursuant to a contract which provides that the city will be reimbursed for any damage done to the highway.

4. COMMISSIONER TO ERECT SIGNS. The commissioner of public works is directed to erect suitable signs giving notification of such temporary prohibition or regulation. The signs are to be placed upon and along all streets or alleys on which said temporary prohibition or regulation is in force and such prohibition or regulation of heavy traffic shall be effective the day following the placing of said signs and shall remain in force until the signs are removed.

5. TO PROTECT STREETS. This section is enacted as an exercise of the police power to safeguard and protect streets and alleys in areas of the city where streets have recently been installed and in other areas where the streets are of a composition noted above so as to insure the safe and ready movement of fire, police and other vehicles necessary and vital to the protection of life and property and for the preservation of the government and good order of the city and for the health, safety and welfare of the public.

*(HISTORY: Section 101-19 rc. File #71-2458, Feb. 29, 1972.)*

### 101-20. Unnecessary Vehicle Noises Prohibited.

1. PROHIBITED. No person shall make unnecessary and annoying noises with a motor vehicle, by squealing tires, excessive acceleration of engine, by emitting unnecessary and loud muffler noises, or by suffering or permitting his or her unattended motor vehicle's audio alarm to be activated without evidence of any tampering with the doors, locks, windows or any other part of the motor vehicle.

2. PENALTY. Any person in violation of this section shall upon conviction be subject to a forfeiture of not less than \$100 nor more than \$200 together with the costs of prosecution, and, in default of payment thereof be confined in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 8 days.

*(HISTORY: Section 101-20 cr. File #79-379, Nov. 13, 1979.*

*101-20-2 am. File #900544, July 31, 1990; eff. August 17, 1990.*

*101-20-1 am. File #950828, December 19, 1995; eff. January 13, 1996.)*

**101-20.5. Cruising Prohibited.**

1. DEFINITIONS. In this section:

a. "Cruising" means driving a motor vehicle past a traffic control point in the designated area more than twice in any 2 hour period between the hours of 8:00 p.m. and 5:00 a.m. Passing a designated control point a third time under the aforesaid conditions shall constitute unnecessary repetitive driving and cruising.

b. "Designated area" means:

b-1. All of that portion of South 27th Street, within the limits of the city, bounded by West Kinnickinnic River Parkway on the north and West College Avenue on the south.

b-2. All of that portion of East and West Layton Avenue, within the limits of the city, bounded by South Brust Avenue on the east and South 27th Street on the west.

b-3. All of that portion of West Wisconsin Avenue bounded by North 17th Street on the east and North 35th Street on the west.

b-4. All of that portion of North Sherman Boulevard bounded by West Center Street on the south and West Villard Avenue on the north.

b-5. All of that portion of East and West Capitol Drive within the Milwaukee city limits.

b-6. All of that portion of South Superior Street bounded by East Russell Avenue on the north and East Oklahoma Avenue on the south.

b-7. All of that portion of East and West Oklahoma Avenue bounded by South Superior Street on the east and South 20th Street on the west.

b-8. All that portion of West Fond du Lac Avenue bounded by West Locust Street on the south and West Silver Spring Drive on the north.

b-9. All of that portion of West Forest Home Avenue bounded by South 35th Street on the east and South 68th Street on the west.

b-10. All that portion of West Silver Spring Drive bounded by North 51<sup>st</sup> Boulevard on the east and North Lovers Lane Road on the west.

b-11. All that portion of North 60<sup>th</sup> Street bounded by West Capitol Drive on the south and West Mill Road on the north.

b-12. All that portion of North 76<sup>th</sup> Street bounded by West Brown Deer Road on the north and West Good Hope Road on the south.

b-13. All that portion of West Bradley Road bounded by North 60<sup>th</sup> Street on the east and North 91<sup>st</sup> Street on the west.

b-14. All that portion of North Lovers Lane Road bounded by West Silver Spring Drive on the north and West Hampton Avenue on the south.

b-15. All that portion of West Roosevelt Drive bounded by West Capitol Drive on the east and West Fond du Lac Avenue on the west.

b-16. All that portion of West Burleigh Street bounded by West Fond du Lac Avenue on the east and the Milwaukee city limits on the west.

c. "Traffic control point" means a reference point within or adjacent to a designated area selected by a police officer for the purpose of determining unnecessary repetitive driving and cruising.

2. CRUISING PROHIBITED. It shall be unlawful for any person to engage in cruising. For the purposes of this section, the person having control or ownership of a motor vehicle shall be considered the person cruising, without regard as to whether that person was actually driving the motor vehicle each time it passed the traffic control point. Having control or ownership of a motor vehicle shall mean

### 101-20.5-3 Traffic Code

either the owner of the vehicle, if present in the vehicle at the time of the violation, or, if the owner is not present, the person operating the vehicle at the time of violation.

**3. EXEMPTIONS.** This section shall not apply to:

a. Any publicly owned vehicle of any city, county, state, federal or other governmental unit, while the vehicle is being operated for official purposes of the governmental unit.

b. Any authorized emergency vehicle.

c. Any taxicabs for hire, public transit buses or other vehicles being operated for business purposes.

**4. TEMPORARY DESIGNATED AREAS.** a. The chief of police or her or her designee at or above the rank of sergeant may establish temporary designated areas where cruising is prohibited where one or more of the following conditions exist or are reasonably anticipated at these locations:

a-1. Dangerous and continuous traffic congestion during evening and night hours.

a-2. Excessive levels of noise or air pollution caused by traffic congestion.

a-3. Potential obstruction of streets, sidewalks or access to parking lots caused by vehicular traffic.

a-4. Interference with the use of property or conduct of business by vehicular traffic.

a-5. Obstruction of access to and through the public way for emergency vehicles by vehicular traffic.

a-6. Loud, disruptive or unruly behavior directly related to vehicular traffic.

b. Prior to establishing a temporary designated area, the chief of police or his or her designee shall file a written plan, approved by the chief of police, with the district commander responsible for the area in which the designated area is to be located. A copy of the plan shall also be provided to the common council within 14 days of the date on which the designated area takes effect. The plan shall contain the following information:

b-1. The location of the designated area.

b-2. The date(s) and times during which the designated area will be in effect.

b-3. A statement enumerating the problem or problems listed in par. a that require the creation of the designated area.

b-4. Any instructions given to enforcement officers concerning the designated area.

b-5. The location of the signs posted pursuant to par. c.

c. Every temporary designated area shall be posted with sufficient signs to provide notice of the prohibition against cruising. These signs shall be of such size and shape as shall be deemed appropriate by the commissioner of public works.

**5. PENALTY.** Any person who violates this section shall upon conviction be subject to the following forfeitures together with the costs of prosecution, and, in default of payment be confined in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 16 days:

a. Not more than \$100 if the person has not committed a previous violation within 12 months of the violation.

b. Not more than \$200 if the person has committed a previous violation within 12 months of the violation.

c. Not more than \$400 if the person has committed 2 or more violations within 12 months of the violation.

*(HISTORY: Section 101-20.5 cr. File #900421, July 10, 1990; eff. July 14, 1990.*

*101-20.5-1-b rc. File #900572, July 31, 1990; eff. August 4, 1990.*

*101-20.5-1-b-3 cr. File #960816, Oct. 15, 1996; eff. Nov. 1, 1996.*

*101-20.5-1-b-4 cr. File #980589, Sept. 23, 1998; eff. Oct. 10, 1998.*

*101-20.5-1-b-5 cr. File #980589, Sept. 23, 1998; eff. Oct. 10, 1998.*

*101-20.5-1-b-5 am. File #000189, June 30, 2000; eff. July 20, 2000.*

*101-20.5-1-b-5 am. File #010687, Sept. 25, 2001; eff. Oct. 12, 2001.*

*101-20.5-1-b-5 am. File #051613, April 11, 2006; eff. April 29, 2006.*

101-20.5-1-b-6 cr. File #980589, Sept. 23, 1998; eff. Oct. 10, 1998.

101-20.5-1-b-7 cr. File #980589, Sept. 23, 1998; eff. Oct. 10, 1998.

101-20.5-1-b-8 cr. File #980589, Sept. 23, 1998; eff. Oct. 10, 1998.

101-20.5-1-b-8 am. File #020415, July 16, 2002; eff. Aug. 2, 2002.

101-20.5-1-b-9 cr. File #980589, Sept. 23, 1998; eff. Oct. 10, 1998.

101-20.5-1-b-10 cr. File #020100, May 14, 2002; eff. June 1, 2002.

101-20.5-1-b-11 cr. File #020100, May 14, 2002; eff. June 1, 2002.

101-20.5-1-b-12 cr. File #020100, May 14, 2002; eff. June 1, 2002.

101-20.5-1-b-13 cr. File #020100, May 14, 2002; eff. June 1, 2002.

101-20.5-1-b-14 cr. File #020098, May 14, 2002; eff. June 1, 2002.

101-20.5-1-b-15 cr. File #020415, July 16, 2002; eff. Aug. 2, 2002.

101-20.5-1-b-16 cr. File #020415, July 16, 2002; eff. Aug. 2, 2002.

101-20.5-4 rn. File #020308, July 16, 2002; eff. Aug. 2, 2002.

101-20.5-4 cr. File #020308, July 16, 2002; eff. Aug. 2, 2002.

101-20.5-1-b-8 rc. File #030517, July 31, 2003; eff. Aug. 19, 2003.

101-20.5-1-b-11 rc. File #030517, July 31, 2003; eff. Aug. 19, 2003.

101-20.5-1-b-16 rc. File #050642, Sept. 27, 2005; eff. Oct. 14, 2005.

101-20.5-5 am. File #051702, July 12, 2006; eff. July 29, 2006.)

#### **101-21. Emergency Traffic Powers.**

1. REGULATION. Whenever the common council or the mayor declares a state of emergency under the authority of s. 166.23, Wis. Stats., it shall be unlawful to violate any traffic regulation promulgated thereunder.

2. PENALTY. Any person in violation of a traffic regulation so established shall upon conviction be subject to a forfeiture of not less than \$40 nor more than \$100 together with the costs of prosecution and, in default of payment thereof, confinement in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 6 months.

(HISTORY: Section 101-21 cr. File #79-557, July 24, 1979.

101-21-1 am. File #001458, Feb. 27, 2001; eff. March 16, 2001.)

#### **101-21.5. Designation and Marking of Bicycle and/or Bus Lanes.**

1. AUTHORIZATION; LOCATIONS. The commissioner of public works

is authorized to mark, by appropriate marks and signs, the area or space set apart within the roadway for the exclusive use of bicycle and/or bus traffic, and it shall be unlawful to operate or park an unauthorized motor vehicle thereon unless otherwise indicated by official signs.

Specific locations of bicycle and/or bus lanes are to be found in the common council proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

2. OTHER TRAFFIC. Except for the purpose of crossing bicycle and/or bus lanes at intersections with highways or as a means of approaching an intersecting highway for the purpose of executing a turn thereon or as a means of approaching driveways for the purpose of ingress or egress to private or public premises, the operator of an unauthorized motor vehicle shall not drive upon any portion of a bicycle and/or bus lane.

3. PENALTY. a. Any person violating any of the provisions of this section shall upon conviction thereof be required to forfeit a sum as provided in the penalty provision of s. 346.17, Wis. Stats., 1979, which are adopted

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and made applicable to the bicycle and/or bus lanes and operators of vehicles thereon, together with the costs of prosecuting such action, except that the violator shall not receive an alternative or included time of imprisonment, but may be sentenced to a term in the county jail or the house of correction upon his failure to pay the forfeiture until the same is paid, but not to exceed a period of 30 days.

b. The operator of a motor vehicle violating any of the provisions of this section shall upon conviction thereof be required to forfeit a sum in accordance with the provisions of s. 346.17, Wis. Stats., 1979, together with the costs of prosecuting such action, except that the violator shall not receive an alternative or included imprisonment, but may be sentenced to a term in the county jail or the house of correction upon failure to pay the forfeiture until the same is paid, but not to exceed 60 days.

*(HISTORY: 101-21.5 am. File #80-1418-b, July 24, 1981.*

*101-21.5-1-a rp. File #951087, December 19, 1995; eff. January 13, 1996.*

*101-21.5-1-b rp. File #951087, December 19, 1995; eff. January 13, 1996.)*

**101-22. Designation of One-way Streets, Alleys and Driveways. 1. ONE-WAY STREETS.** The commissioner of public works shall erect and maintain signs indicating the direction of traffic at every intersection or entrance to certain portions of streets, as officially listed, upon which vehicles are required to be operated in one specific direction.

**2. ONE-WAY ALLEYS.** The commissioner of public works shall erect and maintain signs indicating the direction of traffic at every intersection or entrance to certain portions of alleys, as officially listed, or alleys upon which vehicles are required to be operated in one specific direction.

**3. ONE-WAY DRIVEWAYS (BUSINESS).** The commissioner of public works shall erect and maintain signs in the public way indicating the direction of traffic at certain driveways, as officially listed, upon which vehicles are required to operate in one specific direction.

Specific locations and designations are to be found in the common council proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

*(HISTORY: Section 101-22 cr. File #70-1621, Jan. 18, 1972.*

*101-22-3 cr. File #72-656, July 28, 1972.)*

**101-22.5. Parking and Traffic Restricted in Recreational Areas. 1. RESTRICTIONS.** No person shall operate any motor vehicle on or through, or park any motor vehicle upon any driveway, service road, service area or parking area of any city playground, playfield or totlot, or in the Havenwoods environmental and recreational area where appropriate signs have been erected prohibiting such activities; provided, however, that the above provisions shall not apply to any person, city employe or officer whose vehicle displays proper authorization and identification furnished by the appropriate department in charge of or in control of said playgrounds, playfields and totlots.

Specific locations are to be found in the common council proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

**2. PENALTY.** Any person found violating sub. 1 relating to the operation of a motor vehicle on or through such areas shall be punished by a fine not to exceed \$100 or in lieu of payment thereof imprisonment in the county jail or house of correction, such imprisonment not to exceed 30 days. For parking penalty clause, see s. 101-34.

*(HISTORY: Section 101-22.5 cr. File #75-201, May 27, 1975.*

*101-22.5-2 am. File #81-2095, April 20, 1982.)*

**101-23. Erection of Parking Signs. 1. TO ERECT AND MAINTAIN.** The commissioner of public works shall erect appropriate signs on all highways setting forth the following prohibitions, time limitations, restrictions or exceptions, as required by s. 349.13, Wis. Stats., 1969.

2. NO STOPPING OR PARKING PERMITTED.
3. NO PARKING.
4. RESTRICTED PARKING:
  - a. Fifteen minute parking
  - am. Twenty-five minute parking
  - b. Half hour parking
  - c. One hour parking
  - d. Two hour parking
  - e. Three hour parking
  - f. Four hour parking
  - g. Five hour parking
  - h. Ten hour parking
  - i. Twelve hour parking
  - j. Twenty-four hour parking
  - k. Parking for the physically disabled
5. LOADING ZONES.
6. ANGLE PARKING.
7. PARKING PROHIBITED IN SPECIFIC PLACES. It shall be unlawful for the operator of a vehicle to park such vehicle in any of the following places except to comply with the direction of a traffic officer or traffic control signal or sign:
  - a. Parking Restricted Near Schools.
    - a-1. Upon the near side of a highway adjacent to an elementary schoolhouse during the hours of 7:00 a.m. to 4:30 p.m., during school days, and upon the near side of highway adjacent to a high school, junior high school, college or university during the hours of 7:00 a.m. to 4:30 p.m. during school days, where official signs are posted.
    - a-2. Exceptions. The provisions of subd. 1 shall not apply to the designated portions of the following streets.  
Specific locations are to be found in the common council proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.
  - b. Playground Areas. On the near side of a street adjacent to a playground between the hours of 7:30 a.m. and 10:00 p.m.
  - c. Bus Stops, Posting of Signs. Every common motor carrier of passengers and every owner of any motor bus operation providing free transportation to the public shall

install and maintain, during the term of the operation of such vehicle at every regular stop along the route on which the same is operated in the city, a suitable no parking stop sign indicating the location where the vehicle will stop for the loading and discharging of passengers, such signs to be constructed and installed subject to the approval of the commissioner of public works. The commissioner of public works may designate the location of bus stops for any motor bus operation providing free transportation to the public. Said authorization may include bus stop locations established by common motor carriers of passengers. Bus stops shall have proper No Parking signs placed under the following conditions:

- c-1. Near Side Stop - 80 feet.
- c-2. Mid-block Stop or Far Side Stop - 120 feet.

c-3. Articulated Bus Stops. c-3-a. After March 1, 1985, all present stops used for articulated bus service and all new bus stops shall comply with the following bus stop lengths:

<b>Curb Loading Zones</b>	<b>Length of Additional Zone Length for Single Bus</b>	<b>Second Bus</b>
Near Side	bus length plus bus length plus 5 feet	
Far Side	bus length plus bus length 40 feet	
	Mid-blockbus length plus bus length 90 feet	

c-3-b. The length of the zone shall be increased by 15 feet for near side zones where buses are required to make a right turn.

c-4. Special Conditions. The commissioner of public works may, whenever he deems it necessary under normal operating schedules, arrange for bus stop dimensions different than those referred to in subds. 1 and 2.

d. Bridges, etc. Parking prohibited on any bridge, viaduct or underpass at any time except on designated portions of certain streets as listed in official files.

e. Service Roads. Parking prohibited on any service road on the side adjacent to the main roadway.

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**8. TAXICAB STANDS; REGULATIONS.** a. Established. The public safety committee, subject to approval of the common council, may designate certain locations as taxicab stand areas to comply with the regulations set forth in this section.

a-1. Width of Roadway. Taxicab stands may be created and maintained in certain areas of the city. Taxicab stands shall be confined to places alongside the curb and along the center of any street where the roadway, exclusive of the sidewalk, is 40 feet in width or more.

a-2. Signs. The public safety committee shall arrange to provide suitable signs which shall clearly designate taxicab stands and shall be attached to a post adjacent to the stands.

a-3. For Cabs Only. No person shall park, stop, or leave standing in any taxicab stand any vehicle where the stand is designated by official sign, except a taxicab duly operating under a permit issued by the common council.

b. Number Of Cars At Each Stand. Only taxicabs in such numbers as are set forth on the sign may remain at the stand while waiting for employment, and only in single file pointed in accordance with traffic regulations.

c. Locations Of Stands. Locations of specific stands are to be found listed in the common council proceedings, the official record on file in the city clerk's office, and the code on file in the legislative reference bureau.

## **9. HORSE AND SURREY STANDS.**

a. Horse and surrey stands shall be established by the common council subject to the following regulations:

a-1. Width of Roadway. Horse and surrey stands shall be confined to places alongside the curb and along the center of the street where the roadway, exclusive of the sidewalk, is 40 feet in width or more.

a-2. Signs. Horse and surrey stands shall be clearly designated by signs attached to posts adjacent to the stands.

a-3. For Horse and Surrey Liveries Only. No person shall park, stop or leave standing in any horse and surrey stand any vehicle except a horse and surrey livery duly operating under a permit issued by the common council.

a-4. Number of Liveries at Each Stand. Only liveries in the number set forth on the sign may remain at a horse and surrey stand while waiting for employment, and only in single file pointed in accordance with traffic regulations.

a-5. Stand Locations. Locations of specific stands are to be found listed in the proceedings of the common council, the official record on file in the city clerk's office and the code on file in the legislative reference bureau.

**10. NO PARKING DURING WINTER MONTHS.** a. One Side Parking. There shall be no parking from 8 p.m. on December 1 of any year to March 1 of the following year at certain locations within the city of Milwaukee.

Specific locations to be found in common council File #85-968, on file in the office of the city clerk; and the code on file in the legislative reference bureau.

c. Alternate Monthly Parking. There shall be no parking from 9 a.m. on December 1 of any year to 6 a.m. on January 1 of the following year and from 9 a.m. on February 1 to 6 a.m. on March 1 on the side of the street so designated; and from 9 a.m. on January 2 to 6 a.m. on February 1 on the opposite side at certain locations within the City of Milwaukee.

Specific locations to be found in common council File #85-968, on file in the office of the city clerk; and the code on file in the legislative reference bureau.

d. Extensions. The parking regulations in pars. a and c may be extended by emergency order of the commissioner of public works.

**11. HEAVY TRUCK PARKING PROHIBITED.** a. No semitrailer or truck tractor as defined in s. 340.01(57) and (73), Wis. Stats., or any vehicle in excess of 3 tons may park on any through highway which permits heavy traffic. Specific locations shall be designated by the common council. A list of locations may be found in the common council's proceedings, the official record on file in the city clerk's office and in the code on file in the legislative reference bureau.



b. This subsection does not prohibit the temporary parking of such vehicles while they are being used to perform a service or make a delivery.

*(HISTORY: Section 101-23-7-c am. File #78-1724, Feb. 6, 1979.*

*101-23-7-c-3 cr. File #84-1517-a, Feb. 12, 1985.*

*101-23-7-c-3 rn. File #84-1517-a, Feb. 12, 1985.*

*101-23-10 rc. File #85-968, Oct. 1, 1985.*

*101-23-10-b rp. File #86-1100, Nov. 4, 1986.*

*101-23-4-g cr. File #86-1895, Feb. 24, 1987; eff. Mar. 13, 1987.*

*101-23-7-c-0 am. File #871505, Dec. 22, 1987; eff. Jan. 15, 1988.*

*101-23-8 rc. File #871505, Dec. 22, 1987; eff. Jan. 15, 1988.*

*101-23-9 cr. File #901419, Jan. 22, 1991; eff. Feb. 8, 1991.*

*101-23-4-h cr. File #951086, Nov. 28, 1995; eff. Dec. 15, 1995.*

*101-23-4-i cr. File #951086, Nov. 28, 1995; eff. Dec. 15, 1995.*

*101-23-11 cr. File #970524, July 25, 1997; eff. Sept. 6, 1997.*

*101-23-4 rc. File #980618, Sept. 23, 1998; eff. Oct. 10, 1998.*

*101-23-11 rp. File #980618, Sept. 23, 1998; eff. Oct. 10, 1998.*

*101-23-9 rn. to 101-23-11 File #011611, May. 14, 2002; eff. June 1, 2002.*

*101-23-9 cr. File #011611, May. 14, 2002; eff. June 1, 2002.*

*101-23-4-am cr. File #040827, Nov. 3, 2004; eff. Nov. 20, 2004.*

*101-23-7-a-1 am. File #050850, Nov. 15, 2005; eff. Dec. 9, 2005.)*

**101-23.5. Parking on Private Property.** No person shall, without the permission of the owner or lessee of any private property, leave or park any motor vehicle thereon, contrary to a posted sign thereon, if there is in plain view on such property a No Parking sign, or a sign indicating limited or restricted parking. Owners or lessees of such property may prohibit

parking, may restrict or limit parking and may permit parking by certain persons and prohibit it or limit it as to other persons. All signs installed shall comply with applicable provisions of the code.

*(HISTORY: Section 101-23.5, rc. File #82-223, June 29, 1982.*

*101-23.5 am. File #960168, June 4, 1996; eff. June 21, 1996.*

*101-23.5 rc. File #961022, Feb. 11, 1997; eff. Feb. 28, 1997.)*

### **101-23.7. Loading and Unloading Zone Permits.**

**1. DEFINITIONS.** In this section:

a. "Commercial vehicle" means a motor vehicle used primarily for the movement of property or special-purpose equipment as opposed to persons, or a motor vehicle that is designed to carry 10 or more persons. Such vehicles shall display permanently painted or sealed/adhered and plainly marked, the name of the business owning or utilizing the vehicles. Commercial vehicles include vehicles commonly called delivery vans, buses and other similar vehicles.

b. "Disabled person" means an individual who submits, at the time an original or renewal loading zone permit is applied for, a statement from a physician or chiropractor licensed to practice in any state or a Christian Science practitioner residing in the state of Wisconsin certifying any of the following:

b-1. The individual is a person with a disability that limits or impairs the ability to walk. If this condition is temporary, the statement shall indicate the approximate date on which the disability will end.

b-2. The individual is blind, meaning the individual has central visual acuity that does not exceed 20/200 in the better eye with correcting lenses or a visual field that subtends an angle no greater than 20 degrees. If this condition is temporary, the statement shall indicate the approximate date on which the disability will end.

b-3. The individual is visually impaired, meaning the individual has a loss of vision that can reasonably be expected to lead to blindness

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or a loss of vision that represents a handicap to employment or other major life activity. If this condition is temporary, the statement shall indicate the approximate date on which the disability will end.

b-4. The individual has a disability, such as, but not limited to, Alzheimer's disease, delayed mental development or brain injury, which compromises the individual's problem-solving or reasoning skills and which makes it necessary for the individual to receive assistance in moving safely between the individual's residence and any vehicle that transports the individual. If this condition is temporary, the statement shall indicate the approximate date on which the disability will end.

c. "Nonprofit organization" means a federal, state or local unit of government or agency thereof, a public or private elementary, secondary or post-secondary school, or an organization that is described in s. 501(c)(3) of the internal revenue code of the United States of America and is exempt from taxation under s. 501(a) of this code.

**2. POLICY.** a. Loading and unloading zones are for the use of the general public and are not restricted solely for the use of the permit holders or their patrons.

b. Loading and unloading zones are to be used for the purpose of, and while actively engaged in, loading or unloading property or passengers. Loading zones are not considered parking spaces.

**3. LOADING - UNLOADING PRIVILEGE.** Permits setting aside curb space for loading and unloading zones in front of commercial establishments may be granted only to the owners of such property and only upon application therefore and the decision of the common council. Residential loading zone permits may only be granted to households containing disabled persons and shall be for 30-foot loading zones only and only upon application therefore and the decision of the common council.

**4. APPLICATION.** a. Any person, firm, corporation or organization desiring a

loading and unloading zone shall, before an original or renewal permit is issued, file a written application with the city clerk on a form provided therefor. The application shall require:

a-1. The name of the person, firm, corporation or organization seeking the loading and unloading zone permit. If the applicant is a corporation, the name of the corporation shall be set forth exactly as it is set forth in its articles of incorporation, together with the names and address of each of its officers, directors and designated managers, if any; the application shall be verified by an officer of the corporation.

a-2. The exact location and extent of the building in front of which the loading and unloading zone is to be located as well as the proposed length and hours of operation of the loading and unloading zone.

a-3. The reason or reasons for which the loading and unloading zone permit is being sought.

b. Copy for Council Member. The city clerk shall, upon receipt of a written application for a loading and unloading zone permit, serve a copy of the application upon the common council member in whose district the permit is sought. If a disabled person is applying for the transfer of a loading and unloading zone permit to a new location pursuant to s. 81-70-6, the city clerk shall serve a copy of the application upon the common council member in whose district the new loading and unloading zone would be located.

**5. ISSUANCE.** a. Applications shall be referred to the commissioner of public works who shall cause an investigation to be made and prepare a recommendation to the common council as to whether the requested permit should be granted. In addition, the common council member in whose district the permit is sought shall file his or her recommendation with respect to the requested permit with the city clerk. In all cases, the standard for determining the appropriateness, location and size of any regulated loading and unloading zone shall be the public welfare.

b. In preparing their recommendations regarding loading and unloading zones, the commissioner of public works and the common council member may consider any of the following:

b-1. The nature of land use in the block in which the loading and unloading zone is requested.

b-2. The availability of parking in the block in which the loading and unloading zone is requested.

b-3. The roadway geometrics in the block in which the loading and unloading zone is requested.

b-4. The hours of the day or night when use of the loading and unloading zone is necessary or most convenient.

b-5. The likely impact of the requested loading and unloading zone on the surrounding neighborhood.

b-6. In the case of residential loading and unloading zones for disabled persons, the validity of the disability claimed.

c. If both the common council member and the commissioner recommend in favor of an application, the application shall be forwarded to the common council for approval. If either the common council member or the commissioner recommends against an application, no permit shall be issued unless the applicant requests, in writing, an appeal before the licensing committee of the common council. An appeal shall be requested no more than 10 working days after the date on which the applicant was notified of the recommendation of the commissioner and the common council member. Appeals shall be forwarded to the licensing committee of the common council for its recommendation as to whether each permit should be granted. The committee shall hold a hearing on whether to grant each permit for which an appeal has been requested. No hearing shall be heard unless the city clerk's office has provided written notice to the applicant. The notice shall be served upon the applicant so that the applicant has at least 3 working days' notice of the hearing. The notice shall contain:

c-1. The date, time and place of the hearing.

c-2. A statement to the effect that the possibility of denial of the permit application exists and the reasons or possible denial.

c-3. A statement that an opportunity will be given to the applicant to respond to and challenge any reason for denial and to present witnesses under oath and to confront and cross-examine opposing witnesses under oath.

c-4. A statement that the applicant may be represented by an attorney of the applicant's choice at the applicant's expense, if the applicant so wishes.

d. At the hearing, the committee chair shall open the meeting by stating that a notice was sent and read the notice into the record unless the applicant admits notice. The chair shall advise the applicant that the applicant has an option to proceed with a due process hearing, represented by counsel, with all testimony both direct and cross-examination under oath, or that the applicant may simply make a statement to the committee.

e. A due process hearing shall be conducted in the following manner:

e-1. All witnesses will be sworn in.

e-2. The chair shall ask those opposed to the granting of the permit to proceed first.

e-3. The applicant shall be permitted an opportunity to cross-examine.

e-4. After the conclusion of the opponents' testimony, the applicant shall be permitted to present the applicant's own witnesses, subject to cross-examination.

e-5. Committee members may ask questions of witnesses.

e-6. Both proponents and opponents shall be permitted a brief summary statement.

f. The recommendations of the committee regarding the applicant must be based on evidence presented at the hearing. Probative evidence concerning whether the permit should be granted may be presented on the following subjects:

f-1. Whether the applicant meets the municipal requirements.

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f-2. Any of the factors enumerated in par. b.

g. The committee may make a recommendation immediately following the hearing or at a later date. Written notice of the committee's decision will be provided if the decision is made at a later date or if the applicant was not present or represented. The committee shall forward its recommendation in writing to the common council for vote at the next meeting at which such matter will be considered.

6. FEES. See s. 81-70 for the required permit fees and terms. Non-profit organizations and disabled persons shall be exempt from paying the loading and unloading zone permit fee at the time that an original permit expires and must be renewed, as well as at subsequent renewals.

### 7. RENEWAL OF PERMITS.

a. Procedure for Renewal. Applications for renewal of loading and unloading zone permits shall be made to the city clerk. The application shall be referred to the common council for approval unless a written objection has been filed with the city clerk at least 30 days prior to the date on which the permit expires. This objection may be filed by any interested person. If a written objection is filed, or if a determination is made by either the city clerk or the commissioner that the applicant no longer meets the permitting qualifications, the application shall be forwarded to the licensing committee of the common council for its recommendation to the common council.

#### b. Procedure for Non-Renewal.

b-1. If there is a possibility that the committee will not recommend renewal of a permit, a motion shall be entertained to hold the application in committee and instruct the city clerk to provide written notice to the applicant, unless proper notice has already been sent, in which case the hearing shall proceed.

b-2. Prior to the date set for the hearing, the city clerk's office shall forward notice to the applicant so that the applicant has

at least 3 working days' notice of the hearing. The notice shall contain:

b-2-a. The date, time and place of the hearing.

b-2-b. A statement of the common council's intention not to renew the permit in the event any objections to renewal are found to be true.

b-2-c. A statement of the reasons for non-renewal.

b-2-d. A statement that an opportunity will be given to respond to and challenge such reasons for non-renewal and to present witnesses under oath and to confront and cross-examine opposing witnesses under oath.

b-2-e. A statement that the applicant may be represented by an attorney of the applicant's choice at the applicant's expense, if the applicant so wishes.

c. Hearings. All hearings held and committee recommendations prepared pursuant to this subsection shall be conducted as set forth in sub. 9.

d. Disqualification. Whenever any permit is denied renewal, it shall be entered on the record by the city clerk and no loading and unloading permit shall be granted to the same person for that location for a period of 12 months following the date of non-renewal.

e. Surrender. When any permit is surrendered in lieu of a pending non-renewal proceeding, no other loading and unloading permit shall be granted to the same person for that location for a period of 12 months following the date of its surrender.

### 8. REVOCATION OF PERMITS.

a. Any permit issued under this section may be revoked for cause by the common council after notice to the permittee and a hearing.

b. Revocation proceedings may be instituted by the licensing committee of the common council upon its own motion, or upon sworn written charges made and filed with the city clerk by the chief of police or upon a sworn written complaint filed with the city clerk by any city resident.

c. Whenever either sworn written charges or a sworn written complaint are filed with the city clerk setting forth specific charges against a permittee involving conduct which would violate ordinances that are grounds for revocation of a permit, the city clerk shall issue notice to the permittee of the licensing committee's intention to hear the matter. The notice shall be served upon the permittee so that the permittee has at least 10 working days' notice of the hearing. The notice shall contain:

c-1. The date, time and place of the hearing.

c-2. A statement to the effect that the possibility of revocation of the permit exists and the reasons for possible revocation.

c-3. A statement that an opportunity will be given to the applicant to respond to and challenge any reason for revocation and to present witnesses under oath and to confront and cross-examine opposing witnesses under oath.

c-4. A statement that the permittee may be represented by an attorney of the permittee's choice at the permittee's expense, if the permittee so wishes.

d. The licensing committee shall convene at the date and time designated in the notice for the purpose of taking evidence and making findings of fact and conclusions of law and a recommendation to the common council in connection with the proposed revocation.

e. If the permittee appears before the committee at the time designated in the notice and denies the charges contained in the complaint, an evidentiary hearing in connection with the revocation shall be conducted by the committee at that time. If the permittee does not appear, or appears but does not deny the charges contained in the complaint, the complaint shall be taken as true and the committee shall hear the arguments of the complainants and the licensee in connection with the revocation.

f. All hearings held and committee recommendations prepared pursuant to this subsection shall be conducted as set forth in sub 9.

## **9. HEARING PROCEDURE.**

a. Authority of the Committee. The licensing committee of the common council shall conduct hearings with respect to the non-renewal or revocation of a loading and unloading zone permit pursuant to this subsection. The chair of the committee shall be the presiding officer.

b. Committee Hearing Procedure.

b-1. The chair shall direct that oaths be administered and subpoenas issued upon request of either side.

b-2. The chair shall ensure that an orderly hearing is conducted in accordance with the requirements of this subsection.

b-3. The chair shall rule on objections to the admissibility of evidence. Any ruling of the chair shall be final unless appealed to the committee, and the committee shall reverse such ruling only upon the vote of a majority of its members.

b-4. At all stages of the proceedings before the committee or before the common council, the permittee shall be entitled to appear both in person and by an attorney.

c. Record. A stenographic record shall be made of all proceedings before the committee and before the common council when written exceptions have been filed. Any interested party may at any stage of the proceedings order a copy of the transcript of the record or portions thereof at his or her own expense.

d. Grounds for Non-Renewal or Revocation. The recommendation of the committee regarding the permit shall be based on evidence presented at the hearing. Probative evidence concerning non-renewal or revocation may include evidence of:

d-1. Failure of the permittee to meet the municipal qualifications.

d-2. Permitting the loading and unloading zone to be used as a parking space by vehicles not actually engaged in loading or unloading.

d-3. The death of the disabled person for whom the loading and unloading zone permit was issued.

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d-4. Evidence related by the department of public works that the circumstances for which the permit was first issued no longer pertain.

d-5. Any other factor or factors which reasonably relate to the public health, safety and welfare.

e. **Committee Report.** The committee may make a recommendation immediately following the hearing or at a later date. The committee may recommend that the permit be renewed, not renewed or revoked. All non-renewals shall be effective as of the expiration date of the permit. All revocations shall be effective upon service of notice of the revocation upon the permittee or person in charge of the premises at the time of service.

f. **Council Action.**

f-1. Within 10 working days after it reaches a decision, the committee shall prepare and serve a report and recommendation on the permittee. The report and recommendations shall include specific findings of fact and conclusions of law made by the committee. The report shall be distributed to each member of the common council.

f-2. If the committee recommends that the permit not be renewed or be revoked, then within 7 days of the receipt of the report and recommendation of the committee, the permittee may file written exceptions to the report and recommendations of the committee.

f-3. Any exceptions filed by the permittee to the report and recommendations of the committee shall be provided to each member of the common council at least 24 hours before any vote on the question is scheduled before the common council.

f-4. At a meeting of the common council following the receipt of the report and recommendations of the committee, the common council shall consider the report and recommendation. Not less than 5 days prior to the hearing before the common council, the city clerk shall notify the permittee by first class, prepaid mail sent to the address listed by the permittee on his or her application in an envelope bearing the return address of the

licensing division and also notify the complainant and the city attorney that the common council will convene. Each member of the common council shall be asked to affirm that he or she has read the report and recommendation of the committee. When written exceptions are filed to a committee report and recommendation that the permit be revoked or not renewed, each member of the common council shall be asked to affirm that he or she has read the exceptions. If members of the council have not read the recommendation and report of the committee and any exceptions that have been filed thereto, the chair shall allocate time for the members to do so. Oral argument in support of the report and recommendation presented by the city attorney, oral argument on behalf of the permittee in opposition to the report and recommendation and oral argument by the complainant objecting to the report and recommendation shall be permitted only at the discretion of the chair. If argument is permitted by the chair, argument shall be limited to 5 minutes and the arguments shall be limited to the subject matter of the report and recommendation and the written exceptions. Permittees shall appear only in person or by attorney. Corporate permittees shall appear only by the agent or by attorney. Partnerships shall be represented only by a partner or by attorney. Limited liability companies shall be represented only by the agent or by attorney. Complainants shall appear only in person or by attorney. Any person making an appearance before the council pursuant to this subsection and who requires the services of an interpreter shall obtain one at his or her own expense.

f-5. The common council shall determine by a majority vote of those in attendance and voting whether to adopt the recommendation of the committee. The vote shall be a roll call vote. If the common council finds the complaint to be true, or if there is no objection to a report recommending non-renewal or revocation with the committee's report and recommendation, the city clerk shall give notice of each non-renewal or revocation

to the person whose permit is not renewed or revoked. If the common council finds the complaint to be untrue, the proceedings shall be dismissed without cost to the accused.

**10. REQUEST TO SURRENDER A PERMIT.** If a permittee wishes to surrender his or her permit after receiving a notice for a hearing on non-renewal or revocation, the permittee must request, in writing, permission from the licensing committee of the council to do so prior to the commencement of the hearing. The committee may approve the request, or deny the request and proceed with the hearing.

**11. CHANGE OF CIRCUMSTANCE.**

a. When a disabled person for whom a loading and unloading zone permit is issued dies or is no longer disabled as defined by this section, the loading and unloading zone permit issued for this person shall be surrendered to the city clerk within 30 days of the change of circumstance.

b. Any permittee wishing to alter the length of an existing loading and unloading zone or alter the hours during which an existing loading and unloading zone is in effect, shall file a new application and pay the appropriate fee as required by sub. 4.

*(HISTORY: Section 101-23.7, cr. File #57-1221-a, Sept. 4, 1957.*

*101-23.7 m. File #82-974, Sept. 28, 1982; formerly s. 5-46.*

*101-23.7-1 rc. File #922002, Mar. 29, 1994; eff. Apr. 16, 1994.*

*101-23.7-1-b rc. File #980135, July 7, 1998; eff. July 24, 1998.*

*101-23.7-1-b-4 cr. File #990226, June 22, 1999; eff. July 10, 1999.*

*101-23.7-2 rc. File #922002, Mar. 29, 1994; eff. Apr. 16, 1994.*

*101-23.7-2 am. File #990226, June 22, 1999; eff. July 10, 1999.*

*101-23.7-3 rc. File #77-524-q, Apr. 10, 1979.*

*101-23.7-3 rc. File #922002, Mar. 29, 1994; eff. Apr. 16, 1994.*

*101-23.7-3-b am. File #990226, June 22, 1999; eff. July 10, 1999.*

*101-23.7-4 rc. File #86-789, Sept. 23, 1986.*

*101-23.7-4 rn. File #922002, Mar. 29, 1994; eff. Apr. 16, 1994.*

*101-23.7-4 cr. File #922002, Mar. 29, 1994; eff. Apr. 16, 1994.*

*101-23.7-4-b am. File #940908, Oct. 18, 1994; eff. Nov. 4, 1994.*

*101-23.7 rc. File #031223, Sept. 21, 2004; eff. Oct. 8, 2004.)*

**101-24. Creation and Marking Tow-away Zones.**

**1. LOCATIONS.** There shall be no stopping or standing of vehicles in the following locations which shall be defined as "tow-away zones" which shall be in effect during the times indicated and as "snow emergency tow-away zones" which shall be in effect during a snow emergency declared under s. 101-26. The provisions of s. 101-27-3-a relating to alternate side parking do not apply to these locations.

Specific locations are to be found in the common council proceedings; the official record on file in the city clerk's office, and the code on file in the legislative reference bureau.

**2. POSTING OF SIGNS.** The commissioner of public works is directed to post signs at appropriate places in each such area to inform the public of the provisions of this section.

*(HISTORY: Section 101-24 rc. File #73-1069, Oct. 8, 1974.*

*101-24-3 rn. File #76-1416-n, Dec. 4, 1979.*

*101-24-1 am. File #85-1550, Jan. 21, 1986; eff. Feb. 17, 1986.)*

**101-24.1. Blocking a Driveway.** It shall be unlawful for any vehicle to be parked on or blocking the entrance to any private driveway or garage without the consent of the owner of such driveway so as to prevent free passage of vehicles.

*(HISTORY: Section 101-24.1 am. File #81-2095, Apr. 20, 1982.)*

**101-24.2. Blocking Traffic.** It shall be unlawful for any vehicle to be parked or left standing on a highway in such a manner as to obstruct traffic.

*(HISTORY: Section 101-24.2 am. File #81-2095, Apr. 20, 1982.)*

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### 101-24.5. Vehicle Identification Numbers.

1. DEFINITION. In this section:

a. "Chief of police" means the police chief or any employee of the police department acting on the chief's behalf.

b. "Commissioner of public works" means the commissioner of public works or any employee of the department of public works acting on the commissioner's behalf.

c. "Identification number" means the numbers, letters or combination of numbers and letters assigned by the manufacturer of a vehicle or vehicle part or by the Wisconsin department of transportation and stamped upon or affixed to a vehicle or vehicle part for the purpose of identification. This term does not include the letters, numbers or combination thereof on vehicle license plates.

d. "Owner" shall include the lessee of a vehicle if the vehicle is registered or required to be registered by the lessee pursuant to ch. 341, Wis. Stats.

2. PROHIBITED. a. No person may remove, alter or obliterate an identification number.

b. No person may make it impossible to read a motor vehicle's identification number from outside the vehicle.

3. REMOVAL OF VEHICLE. If the chief of police or commissioner of public works finds, on any alley, street, highway or public place within the city, any vehicle on which the identification number has been removed, altered, obliterated or made impossible to read, including any vehicle on which the identification number is not readily visible when observed from outside the vehicle, the chief or commissioner may have the vehicle immediately removed to a suitable place of impoundment. If the identification number cannot be identified, the impounded vehicle shall be presumed to be contraband. If the identification number can be identified, a notice informing the registered owner of the location of the vehicle, the procedure for reclaiming the vehicle and the availability of an informal hearing before the city attorney shall be sent to the registered owner's last known address as registered by the owner with the state department of motor vehicles within 72 hours after removal.

4. DISPOSAL OF UNCLAIMED VEHICLES. As soon as practical after removal and impoundment of a vehicle under sub. 3, a duly authorized representative of the commissioner of public works shall appraise the value of such motor vehicle based on the prevailing market. Such vehicle shall be disposed of according to s. 105-65.

5. OWNER RESPONSIBLE FOR COSTS. The owner of any motor vehicle on which the identification number has been removed, altered, obliterated or made impossible to read, or is not readily visible from outside the vehicle, is responsible for all costs of impounding and disposing of the vehicle. Costs not recovered from the sale of the motor vehicle may be recovered in a civil action by the city against the owner.

6. RELEASE OF VEHICLE; CONDITIONS. Notwithstanding sub. 4, the owner of a vehicle that is impounded under this section may secure release of the vehicle by doing all of the following:

a. Paying any forfeiture imposed for violation of this section established pursuant to s. 101-34 and the reasonable costs of impounding the motor vehicle.

b. Providing satisfactory evidence that the motor vehicle is currently registered in the state of Wisconsin or that, at the time of impoundment, a complete application for registration of the vehicle, including evidence of inspection under s. 110.20, Wis. Stats., when required, accompanied by the required fee had been delivered to the Wisconsin department of transportation or deposited in the mail properly addressed with prepaid postage, or the vehicle is exempt from registration under ch. 341, Wis. Stats.

c. Providing a current, valid driver's license and current certificate of title for the vehicle. If the vehicle's owner does not have a valid driver's license, the vehicle may be released to another person with a valid driver's license provided the licensed individual is accompanied by the vehicle's owner or can present a signed affidavit from the vehicle's owner authorizing the vehicle's release to the licensed individual.



d. If the vehicle's identification number was removed, altered, obliterated or otherwise made impossible to read, even from inside the vehicle, providing satisfactory evidence that an application to replace the identification number has been made to the Wisconsin department of transportation pursuant to s. 342.30(1m), Wis. Stats.

*(HISTORY: Section 105-65.7 cr. File # 020955, Nov. 6, 2002; eff. Nov. 23, 2002.*

*105-65.7-7 rp. File #021284, Jan. 22, 2003; eff. Feb. 8, 2003.*

*105-65.7 rn. to 101-24.5 File #021691, March 25, 2003; eff. April 11, 2003.)*

### **101-24.7 Unregistered Motor Vehicles.**

1. **DEFINITION.** In this section, "unregistered motor vehicle" means any motor vehicle that is located upon any alley, street, highway, public way or thoroughfare and that is not displaying valid registration plates, a temporary operation plate, or other evidence of registration as provided under s. 341.18(1), Wis. Stats., for the vehicle's current registration period or for a registration period for the vehicle that expired within the immediately preceding 31 days.

2. **PROHIBITED.** No unregistered motor vehicle may be located upon any alley, street, highway, public way or thoroughfare within the city.

3. **REMOVAL OF VEHICLE; NOTICE.** a.

The chief of police or the commissioner of public works or any person acting on their behalf may cause any unregistered motor vehicle located upon any alley, street, highway or public place or thoroughfare within the city to be removed to a suitable place of impoundment.

b. A notice informing the owner of the location of the vehicle, the procedure for reclaiming the vehicle, and the availability of an informal hearing before the city attorney shall be mailed to the owner's last known address within 24 hours after removal.

4. **OWNER RESPONSIBLE FOR COSTS.** The owner of any unregistered motor vehicle shall be responsible for all costs of impounding and disposing of the motor vehicle. Costs not recovered from the sale of the motor vehicle may be recovered in a civil action by the city against the owner.

5. **RELEASE OF VEHICLE.** Notwithstanding sub. 6, the owner of an unregistered motor vehicle that is impounded under this section may secure release of the motor vehicle by paying any forfeiture imposed for violation of this section and the reasonable costs of impounding the motor vehicle and providing satisfactory evidence of one of the following:

a. That the motor vehicle is currently registered in the state of Wisconsin.

b. That a complete application for registration for the motor vehicle, including evidence of inspection under s. 110.20, Wis. Stats., when required, accompanied by the required fee has been delivered to the Wisconsin department of transportation or deposited in the mail properly addressed with postage paid.

6. **DISPOSAL OF UNCLAIMED VEHICLES AND TRAILERS.** As soon as practical after the removal, a duly authorized representative of the commissioner of public works shall appraise the value of such motor vehicle based on the prevailing market. Such vehicle shall be disposed of according to s. 105-65.

7. **PROCEDURE.** Notwithstanding the provisions of sub. 6, a vehicle removed and impounded pursuant to this section shall not be disposed of under s. 105-65 while an informal hearing, requested following notice under sub. 3-b, is pending or before the expiration of 30 days. Neither shall disposition of the vehicle be made prior to the conclusion of court proceedings where timely application is made to the municipal court or other court of competent jurisdiction contesting the basis for removal of the vehicle or seeking to secure the release of the vehicle. In addition to the forfeiture provided in s. 101-34, the owner shall pay the city to cover the city's cost of impoundment, storage or disposal of the motor vehicle, or both.

*(HISTORY: Section 101-24.7 cr. File #051344, Apr. 11, 2006; eff. Apr. 29, 2006.*

*101-24.7-2 am. File #060077, May 31, 2006; eff. June 17, 2006.*

*101-24.7-3-a am. File #060077, May 31, 2006; eff. June 17, 2006.)*

### **101-25 Towing Away of Vehicles.**

1. **AUTHORITY.** Whenever any police officer, or the commissioner of public works or

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any of the commissioner's designees finds a vehicle standing upon any highway in violation of ss. 101-3, 101-22.5, 101-23, 101-24, 101-24.1, 101-24.2, 101-26, 101-26.5, 101-26.7, 101-27, 101-29 and 101-32, the officer, or commissioner of public works or the commissioner's designee is authorized to remove the vehicle to either private or public parking or storage premises. The removal may be performed by or under the direction the officer, or the commissioner or public works or the commissioner's designee, or a towing contractor under contract with the city. The vehicle reclamation charge that is imposed in order to reclaim a vehicle under this section shall be \$95 per vehicle and \$20 for each day of storage. The vehicle reclamation charge shall be paid to the commissioner of public works at the storage facility and the vehicle may be released from storage upon payment of all vehicle reclamation charges and presentation of proper identification. A notice informing the owner of the location of the vehicle, the procedure for reclaiming the vehicle and the availability of a review before the city attorney shall be mailed to the last known address within 24 hours after removal.

**2. ADJUSTMENTS.** Whenever the vehicle reclamation charges are paid, the vehicle shall be released to its owner. Whenever the citation upon which removal and storage is authorized is released by the chief of police, or by the city attorney after a review, or whenever the charge for which the citation upon which removal and storage is authorized is dismissed by the court, the commissioner of public works shall release the vehicle without payment of vehicle reclamation charges and shall refund any vehicle reclamation charges for such vehicle which shall have previously been paid.

**3. UNCLAIMED VEHICLES.** As soon as practical after the removal, a duly authorized representative of the commissioner of public works shall appraise the value of such vehicle based on the prevailing salvage market. Such vehicle shall be disposed of according to the provisions of s. 105-65.

*(HISTORY: Section 101-25 am. File #83-564, July 29, 1983.*

*101-25-1 am. File #890603, July 25, 1989; eff. August 15, 1989.*

*101-25-3 am. File #910026, May 14, 1991; eff. June 1, 1991.*

*101-25-1 am. File #920983, Oct. 30, 1992; eff. Dec. 20, 1992.*

*101-25-1 am. File #931368, Dec. 22, 1993; eff. Jan. 14, 1994.*

*101-25-1 am. File #941628, Mar. 8, 1995; eff. Mar. 25, 1995.*

*101-25-2 am. File #941628, Mar. 8, 1995; eff. Mar. 25, 1995.*

*101-25-2 am. File #971806, April 7, 1998; eff. April 25, 1998.*

*101-25-1 am. File #991569, Feb. 29, 2000; eff. Mar. 17, 2000.*

*101-25-1 am. File #010854, Nov. 9, 2001; eff. Jan. 1, 2002.*

*101-25-1 am. File #011722, April 23, 2002; eff. May 7, 2002.*

*101-25-1 am. File #021704, June 24, 2003; eff. July 11, 2003.*

*101-25-1 am. File #030701, Nov. 5, 2003; eff. Nov. 22, 2003.*

*101-25-1 am. File #040130, June 15, 2004; eff. July 2, 2004.)*

### **101-25.5. Contract for Towing Away of Vehicles.**

**1. BY COMMISSIONER.** The commissioner of public works may enter into contracts for and behalf of the city for the towing away and storage of vehicles under s. 101-25. The commissioner may divide the city into designated areas and contract for towing away in each specific area.

**2. REQUIREMENTS.** Any such contract shall provide that the towing company have adequate equipment and facilities and have personnel available 24 hours a day, and that such company furnish the city an indemnification agreement supported by a performance bond and indemnity bond, and, in lieu thereof, a certification of insurance to hold the city harmless from any claims for damage or theft of the vehicles and personal property therein contained when the same are towed away. The commissioner of public works shall further provide the rules, regulations, specifications and conditions under which such contracts shall be let.

*(HISTORY: Section 101-25.1-5 rn. to 2-75, File #70-1621, Jan. 18, 1972.*

*2-75 rn. to 101-25.5 File #86-677, July 29, 1986; eff. Aug. 16, 1986.*

*101-25.5 am. File #941048, Nov. 29, 1994; eff. Jan. 1, 1995.)*

**101-26. Snow Emergency Parking.**

**1. EMERGENCY DECLARED.** There is declared an emergency to exist in the city of Milwaukee by reason of a snowstorm whenever snow falls during any period of 24 hours or less to a depth which is determined and declared by the commissioner of public works to constitute a serious public hazard impairing transportation, the movement of food and fuel supplies, medical care, fire, health, and police protection, and other vital facilities of the city. Such emergency is declared to continue for a period of 72 hours or until such earlier time as snow-plowing operations have been declared completed by the commissioner of public works.

**2. PARKING REGULATIONS DURING EMERGENCY.** It shall be unlawful for any person to park or suffer to be parked any vehicle upon any street marked by temporary No Parking signs. Between the hours of 11 p.m. and 6 a.m., inclusive, it shall be unlawful for any person to park or suffer to be parked any vehicle upon any street over which there is operated a duly authorized motor bus route or upon any street which is a through highway and not designated for night parking under s. 101-27-9. Between the hours of 11 p.m. and 6 a.m., inclusive, it shall be unlawful for any person to park or suffer to be parked any vehicle on the even-numbered side of the street on those nights bearing an odd calendar date during the portion thereof before midnight and on the odd-numbered side of the street on those nights bearing an even calendar date during the portion thereof before midnight upon streets which are not through highways or upon through highways designated for night parking under s. 101-27-9.

**3. TO ERECT TEMPORARY SIGNS; LOCATIONS.** Pursuant to the provisions of s. 349.13, Wis. Stats., 1969, "Emergency Powers Granted to Cities of the First Class," the commissioner of public works is authorized to erect temporary No Parking signs during the existence of an emergency created by a snowstorm or snowstorms or excessive snow fall which impair or prevent the full use of any highway, street or roadway for transportation.

A current list of streets where such signs have been erected and the date of erecting of such signs shall be sent by the commissioner of public works to the city

clerk, the legislative reference bureau and the district police station.

**6. SNOW EMERGENCY FUND.** All revenues derived by the city from towing and storage of vehicles parked in violation of sub. 2 shall be entered by the city treasurer in a special account to be designated the snow emergency account. Such fund shall be used to help defray the costs of contracting for towing and storage of vehicles parked in violation of sub. 2 but for no other purpose. Any balance remaining in the fund at the end of the fiscal year not carried over by the budget for the ensuing year shall be returned to the general fund.

*(HISTORY: Section 101-26 cr. File #70-1621, Jan. 18, 1972.*

*101-26-6 cr. File #78-2009, March 20, 1979.*

*101-26-2 am. File #79-1859, Feb. 5, 1980.*

*101-26 am. File #81-1660, Jan. 19, 1982.*

*101-26-3 am. File #82-1500, Jan. 5, 1983.)*

**101-26.5. Snow Parking Regulations - 4 or More Inches.**

**1. a.** On designated streets, vehicles may be parked on both sides of the street, except when snow has accumulated on the street surface to the depth of 4 inches or more.

**b.** Designated streets are to be found in the common council proceedings, the official record on file in the city clerk's office, and the code on file in the legislative reference bureau.

**2.** Vehicles parked in compliance with sub. 1 shall also comply with the provisions of s. 101-27-1-a.

*(HISTORY: 101-26.5 cr. File #900880, Oct. 16, 1990; eff. Nov. 2, 1990.*

*101-26.5-2-d-2 rp. File #901832, Mar. 26, 1991; eff. Apr. 12, 1991.*

*101-26.5 rc. File #961020, Nov. 4, 1996; eff. Nov. 21, 1996.*

*101-25.5-0 am. File #041101, Dec. 21, 2004; eff. Jan. 13, 2005.*

*101-26.5-1-a am. File #041101, Dec. 21, 2004; eff. Jan. 13, 2005.)*

**101-26.7. Street Sweeping Streets.**

**1. PURPOSE.** The common council finds that certain streets experience high demand for parking which restricts the accessibility of street sweeping brooms to the curb line. The common council further finds that it is necessary to prohibit parking between certain hours on certain streets on the day street

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sweeping operations occur in order to increase the effectiveness and efficiency of street sweeping operations.

**2. TO ERECT AND MAINTAIN.** The commissioner of public works shall erect and maintain signs prohibiting parking between certain hours on certain streets on the day street sweeping operations occur.

Designated streets are to be found in the common council proceedings, the official record on file in the city clerk's office, and the code on file in the legislative reference bureau.

**3. EXCEPTIONS.** This section shall not apply to any of the following:

a. An emergency vehicle, including but not limited to an ambulance, fire department vehicle or police department vehicle.

b. Any vehicle, including but not limited to a delivery, utility or service vehicle, which is being used by a person engaged in the provision of services or delivery of goods to a property located on the designated street, provided the name of the commercial enterprise or public utility vehicle providing the service or delivering the goods is clearly identified on the vehicle.

*(HISTORY: 101-26.7 cr. File #011722, April 23, 2002; eff. May 7, 2002.*

*101-26.7 "sunset" (rp.) on Dec. 1, 2002, per File #011722.*

*101-26.7 cr. File #021704, June. 24, 2003; eff. July 11, 2003.)*

### 101-27. All Night Parking.

**1. RESTRICTIONS.** a. No vehicle shall be permitted to stand in one place on a highway for more than 24 hours.

b. No vehicle of any kind or description shall be parked on any highway between the hours of 2 a.m. and 6 a.m. except as otherwise restricted or permitted herein.

**1.5. EXCEPTION; PILOT PROGRAM.** The restriction provided in sub. 1-a shall be suspended through November 30, 2007, except for the period December 1, 2006, through March 1, 2007, inclusive, for purposes of a pilot program to be conducted within the area bounded by and including N. Jefferson St., E. Pleasant St., East Ogden St. and N. Franklin Pl. No vehicle shall be permitted to stand in one place on a highway in the pilot program area for more than 5 days consecutively during the

course of the program. All other parking restrictions and parking permit requirements currently in force or which may be enacted shall remain in effect in the pilot program area. The commissioner of public works shall provide a report to the common council prior to the conclusion of the pilot program concerning the efficacy of the program and its impact on parking enforcement procedures together with recommendations.

### **2. SPECIAL PERMIT.**

a. Vehicles may be parked during such hours, provided they shall first obtain a special privilege permit from any facility the city may designate for the sale of such permit, after filing an application and paying a permit fee, all as required under this section, and shall be parked as authorized by such permit, as provided in sub. 5.

b. The owner of any motor truck with valid license plates issued by the Wisconsin department of transportation, division of motor vehicles, but not used for commercial purposes, and which is not larger than 21 feet in length, 7 feet in width, and 7 feet in height and which has no more than 2 single-tired wheels on the front axle and no more than 2 single-tired or double-tired wheels on the rear axle, shall be eligible to purchase a special privilege permit for said vehicle as provided in this section.

c. Any vehicle for which a person is applying for a special privilege permit may be inspected for purposes of determining eligibility for the permit as provided in this section.

d. Vehicles displaying special privilege permits must also display while parked valid motor vehicle license plates.

### **3. ALTERNATE SIDE PARKING.**

a. On odd and even numbered days. Except as provided in par. b, any vehicle parked pursuant to this section shall be parked only on the even numbered side of the street on those nights bearing an even calendar date during the portion thereof before midnight, and on the odd numbered side of the street on those nights bearing an odd calendar date during the portion thereof before midnight, except that where parking is normally permitted only on one side of the street, vehicles parked pursuant to the aforesaid provisions may be parked on that side of the street only, on every night of the week.

b. Exceptions to alternate side parking.

b-1. Except when parking is prohibited on one side, vehicles may be parked on both sides of designated streets from March 1 to November 30. These streets shall be designated when an overnight survey conducted by the commissioner of public works indicates that the demand for curb space for parked vehicles meets certain criteria determined by the commissioner to warrant 2-side parking, the commissioner of public works recommends the area to the common council and the common council approves the recommendation of the commissioner.

b-2. Designated streets are to be found in the common council proceedings, the official record on file in the city clerk's office, and the code on file in the legislative reference bureau.

**4. CERTAIN VEHICLES NOT ELIGIBLE.** Motor trucks, except as provided elsewhere in the code, luxury limousines, as defined in s. 100-3-11, motor buses, motor delivery wagons, trailers, semitrailers, camping trailers, motor homes, mobile homes and tractors shall not be eligible for such special privilege parking permits.

**5. APPLICATION AND PERMIT.**

a. Application Listing. The application listing shall contain the name and city of Milwaukee address of the permit applicant, the license number and state of issuance of valid motor vehicle license plates, the expiration date of the permit applied for and any other reasonable and pertinent information the department may from time to time require. A statement shall be included in the application that the vehicle for which application is made does not violate subs. 2-b and d, and 4.

b. Permits. The permits shall be numbered and contain the expiration date.

c. Display. While the motor vehicle is in a parked position between the hours of 2 a.m. to 6 a.m., the permit shall be displayed in the manner designated by the police department.

**6. PARKING FUND.** All revenues derived by the city from said permit fees shall be entered into account in accordance with the code.

**7. EXCEPTIONS.** When Night Parking Permitted. Except as provided in

ss. 101-26 and 101-31, this section shall not be effective and in force for the following:

a. Holidays. On the morning of the 1st day of each week, Sunday; and on the morning of, and the morning following, the 1st day of January, New Year's Day; 3rd Monday in January, Dr. Martin Luther King, Jr. Day; last Monday in May, Memorial Day; July 4, Independence Day; 1st Monday in September, Labor Day; 4th Thursday in November, Thanksgiving Day; December 25, Christmas Day, in any year.

b. Shift Worker's Parking Permit. Provided further, that in the case of night workers who are not provided with off-street parking facilities by their employers, such condition shall constitute an emergency, and the chief of police shall, subject to the approval of the common council, designate suitable locations where, notwithstanding the provisions of this section, such night workers shall be permitted to park their automobiles during the period of their employment, and on permit of the chief of police which permit shall be displayed in the lower left hand corner of the windshield pursuant to sub. 5-c. The chief of police, under this authority, may also issue the shift workers permit to car-pooling workers who must park on-street as a necessary part of their car-pooling arrangement.

c. Emergencies. This section shall not apply to licensed physicians and surgeons or ordained clergy in emergency situations.

d. Night Business Establishment Areas. Parking shall be permitted during prohibited hours (2 a.m. to 6 a.m.) for a period of time not to exceed one hour in the same block of a business establishment licensed by the city and open for business during such otherwise prohibited hours. For penalty, see s. 101-34-2-b.

e. Temporary Permission. The chief of police may temporarily suspend the enforcement of night parking restrictions specified herein when exceptional conditions are determined to exist. The chief of police shall record all such occasions, and report the dates and circumstances to the commissioner of public works.

f. Notification. The commissioner of public works may, when necessary, grant an individual overnight parking permission if the department of public works is notified prior to 1:00 a.m.

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g. Disabled Drivers. Vehicles bearing current registration plates for disabled drivers issued under s. 341.14(1), (1a), (1m), or (1q), Wis. Stats., or a motor vehicle under which a current special identification card issued under s. 343.51, Wis. Stats., is displayed, excepting motor buses and motor trucks, shall be exempt from purchasing overnight parking permits, but shall be required to park in accordance with all other provisions contained herein.

8. WINTER REGULATIONS. After 8 p.m. as of December 1 to March 1 inclusive, unless otherwise extended by emergency order of the commissioner of public works, of the year following, no special permits shall be issued for parking upon any through highways referred to in s. 101-16-2, nor upon those portions of any street upon which there is operated a motor bus route, except upon any snow route tow-away zone as referred to in s. 101-24-1, and except as provided in sub. 9.

9. EXCEPTIONS; LOCATIONS WHERE NIGHT PARKING IS PERMITTED. The provisions of sub. 8 relating to winter regulations shall not apply to certain locations referred to below and listed in official files.

Specific locations where exceptions to winter night parking apply shall be found in the common council proceedings, the official record on file in the city clerk's office, and the code on file in the legislative reference bureau.

11. PERMIT RECIPROCITY. a. St. Francis. Where S. Brust Avenue, Clement Avenue, Hanson Avenue, Kansas Avenue, and Nevada Street; and E. Norwich Street lie on the boundary between the city of Milwaukee and the city of St. Francis, all night parking permits issued by the city of St. Francis shall become valid in the city of Milwaukee to the same extent as if such permit had been issued by the city of Milwaukee provided, however, that the provisions of this paragraph shall be effective only during such time as the city of St. Francis authorizes, by ordinance, a reciprocal privilege on such streets for all night parking permits issued by the city of Milwaukee.

b. West Milwaukee. Where S. 38th Street and W. Greenfield Avenue lie on the

boundary between the city of Milwaukee and the village of West Milwaukee, all night parking permits issued by the village of West Milwaukee shall become valid in the city of Milwaukee to the same extent as if such permit had been issued by the city of Milwaukee provided, however, that the provisions of this subsection shall be effective only during such time as the village of West Milwaukee authorizes, by ordinance, a reciprocal privilege on such streets for all night parking permits issued by the city of Milwaukee.

(HISTORY: Section 101-27 rc. File #78-2312-b, July 24, 1979.

101-27-11 cr. File #79-1666-a, June 17, 1980.

101-27-3-b-2-c to e am. File #84-516, July 27, 1984.

101-27-7-g am. File #84-1469, Feb. 12, 1985.

101-27-5 rc. File #85-840-d, Oct. 23, 1985.

101-27-1 am. File #85-840-f, Oct. 23, 1985.

101-27-9-a am. File #85-1550, Jan. 21, 1986; eff. Feb. 7, 1986.

101-27-3-b-2-a. rc. File #86-390, July 8, 1986; eff. July 25, 1986.

101-27-2-a am. File #870752, July 28, 1987; eff. Aug. 14, 1987.

101-27-5-a am. File #870752, July 28, 1987; eff. Aug. 14, 1987.

101-27-3-b-2-f cr. File #871330, Oct. 27, 1987; eff. Nov. 13, 1987.

101-27-3-b-1, am. File #872217, March 29, 1988; eff. April 16, 1988.

101-27-3-b-2-b am. File #872217, March 29, 1988; eff. April 16, 1988.

101-27-4 am. File #901984, May 14, 1991; eff. June 1, 1991.

101-27-7-e am. File #912458, May 26, 1992; eff. June 12, 1992.

101-27-11 am. File #921848, Mar. 23, 1993; eff. Apr. 9, 1993.

101-27-1-b am. File #941048, Nov. 29, 1994; eff. Jan. 1, 1995.

101-27-5-c am. File #941048, Nov. 29, 1994; eff. Jan. 1, 1995.

101-27-7-d am. File #941048, Nov. 29, 1994; eff. Jan. 1, 1995.

101-27-7-f am. File #941048, Nov. 29, 1994; eff. Jan. 1, 1995.

101-27-8 am. File #951346, Jan. 23, 1996; eff. Feb. 2, 1996.

101-27-3-b-2-g cr. File #960784, Oct. 15, 1996; eff. Nov. 1, 1996.

101-27-3-b rc. File #961021, Nov. 4, 1996; eff. Nov. 21, 1996.

*101-27-7-f am. File #991569; Feb. 29, 2000; eff. Mar. 17, 2000.*

*101-27-2.5 cr. File #000030, Oct. 10, 2000; eff. Oct. 27, 2000. (Note: this subsection became null and void after October 27, 2001 ("sunset" provision) per File #000030.)*

*101-27-2-b am. File #020330, June 25, 2002; eff. July 13, 2002.*

*101-27-2-a rc. File #020593, Nov. 8, 2002; eff. Jan. 1, 2003.*

*101-27-2-c rc. File #020593, Nov. 8, 2002; eff. Jan. 1, 2003.*

*101-27-2-a rc. File #030504, Nov. 14, 2003; eff. Jan. 1, 2004.*

*101-27-2-d cr. File #040251, Sept. 21, 2004; eff. Oct. 8, 2004.*

*101-27-5-a am. File #040251, Sept. 21, 2004; eff. Oct. 8, 2004.*

*101-27-7-a am. File #051410, Mar. 23, 2006; eff. Apr. 11, 2006.*

*100-27-1.5 cr. File #060100, July 12, 2006; eff. July 29, 2006.)*

**101-27.5. Residential Daytime Parking Privilege for Nonconforming Residential Uses.**

1. Any person who qualifies under sub. 2 may apply to the police department for a special privilege parking permit authorizing the applicant to park one vehicle in excess of any posted time limits on the street in the block where the applicant lives during those hours when all-night parking regulations are not in effect. If an applicant lives in a block where parking limits are regulated by meters, the applicant will be assigned to the nearest block available without metered parking as determined by the department of public works.

2. In order to qualify for a special privilege parking permit, the applicant's residence must have been erected prior to October 27, 1970, and one of the following provisions must apply:

a. The applicant's residence is located in a dwelling that does not provide the minimum number of parking spaces required by table 295-403-2-a.

b. The physical dimensions of the parking space provided for the applicant's dwelling unit are inadequate to accommodate the applicant's vehicle.

c. The applicant's vehicle is needed to transport a person with a mental or physical disability.

3. The application form provided by the police department shall contain:

a. The name and address of the owner or operator of each vehicle for which a permit is requested.

b. The license number, make and year of each vehicle.

c. The location where the applicant requests to park the vehicle.

d. A sworn statement that the applicant resides at the address given and that the residence qualifies under sub. 2-a, b or c. If the applicant is applying under sub. 2-b, the sworn statement shall include physical dimensions of the parking space and the applicant's vehicle, including photographs of each. If the applicant is applying under sub. 2-c, the sworn statement shall include an attached statement from a physician for the disabled person that the applicant's vehicle is needed to transport that person.

4. a. If the applicant owns or operates 2 vehicles, both may be registered on one permit; however, except as provided in par. b, only one vehicle may use the permit at a time.

b. Any person eligible for a special privilege parking permit under this section may park 2 vehicles on the street at the same time if more than 80% of the dwelling units on his or her block are provided with off-street parking or if less than 20% of the dwelling units on his or her block have received special privilege parking permits under this section. Eligible persons shall submit a separate form approved and provided by the police department and shall receive, if approved, one additional permit at no additional cost.

5. Under no circumstances shall the residents of a single dwelling unit be eligible to park more than 2 vehicles on the street at the same time.

6. In those cases where the police department is unable to determine if an applicant meets all the requirements of either sub. 2-b or 4-b, the application shall be referred to the department of neighborhood services for verification. Such verification shall be completed within 5 business days and a report made to the police department.

7. Upon verification that the applicant meets all requirements under this section and

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payment of the applicable fee under ch. 81, the police department shall issue a permit as soon as practicable for either 3 months or one year from the date of issuance. The permit shall display the number, date of issue, and expiration date of the permit, the license number, make and year of each vehicle, and the block in which the permit allows parking. The permit shall be placed in the lower left hand corner of the windshield or in such other conspicuous place as the department of public works may designate, while the motor vehicle is in a parked position.

**8.** Permits issued under this section shall not be construed as a guarantee of a parking space, shall not be transferable to other persons, vehicles or dwelling units, or be applicable to any other parking restriction exemptions.

**9.** Falsification of any of the information required under this section shall be grounds for the immediate revocation of the parking permit by the police department.

**10.** All monies received from permit fees issued under this section shall be placed in a fund for off-street parking purposes only. (HISTORY: 101-27.5 cr. File #72-1283-a, Mar. 20, 1973.

101-27.5 rc. File #010148, July 17, 2001; eff. August 3, 2001.

101-27.5-1 am. File #85-1189, Nov. 12, 1985.

101-27.5-1 am. File #930484, July 27, 1993; eff. Aug. 13, 1993.

101-27.5-1 am. File #010854, Nov. 9, 2001; eff. Jan. 1, 2002.

101-27.5-2-a rp. File #991763, May 14, 2002; eff. Oct. 1, 2002.

101-27.5-2-a-1 am. File #85-1189, Nov. 12, 1985.

101-27.5-2-a-2 am. File #980963, Dec. 18, 1998, eff. Jan. 1, 1999.

101-27.5-2-b am. File #85-1189, Nov. 12, 1985.

101-27.5-2-c am. File #75-1599, Dec. 19, 1975.

101-27.5-3, rc. File #79-162, June 12, 1979.

101-27.5-3-0 am. File #010854, Nov. 9, 2001; eff. Jan. 1, 2002.

101-27.5-4-b am. File #010854, Nov. 9, 2001; eff. Jan. 1, 2002.

101-27.5-6 am. File #010854, Nov. 9, 2001; eff. Jan. 1, 2002.

101-27.5-7 am. File #010854, Nov. 9, 2001; eff. Jan. 1, 2002.

101-27.5-9 am. File #01054, Nov. 9, 2001; eff. Jan. 1, 2002.)

### **101-27.7. Residential Daytime Parking Privilege for Commuter Parking Impacted Areas. 1.**

**ESTABLISHED.** There is declared the necessity to establish a permit system whereby vehicles bearing a valid special parking permit issued pursuant to this section may, park in excess of the posted time limits on specifically designated streets within certain areas during those hours when all-night parking regulations are not in effect.

**2. DEFINITIONS.** a. "Residential area" shall mean a contiguous or nearly contiguous area containing public highways or parts thereof primarily abutted by residential property or residential and nonbusiness property, such as schools, parks, churches, hospitals and nursing homes.

b. "Commuter vehicle" shall mean a motor vehicle parked in a residential area by a person not resident thereof.

c. "Commissioner" shall mean the commissioner of public works.

**3. IMPACTED AREAS.** A residential area shall be deemed eligible for residential permit parking if, based on objective criteria considered by the commissioner, parking therein is impacted by commuter vehicles during those hours when all-night parking regulations are not in effect.

**4. ELIGIBILITY.** a. The commissioner or a common council member may request a public hearing to determine if an area identified as eligible for residential permit parking shall be designated as commuter impacted if the following criteria are met:

a-1. Unmetered limited time parking restrictions have been in effect in the affected area for at least one year.

a-2. The affected area consists of not less than 1,800 linear feet.

a-3. There is a public transit route within a one-quarter mile proximity of the affected area.

a-4. There is a likelihood of alleviating traffic congestion, illegal parking and related health and safety hazards.



b. At the discretion of the commissioner, a license plate survey may be conducted to determine whether at least 20% of the parked vehicles in the affected area are registered to persons who are non-residents of the affected area.

**5. HEARING.** a. Upon approval of a public hearing date by the appropriate common council committee, notice shall be published in a newspaper designated as the official city paper. Such notice shall state the specific purpose of the hearing, the exact location and boundaries of the commuter impacted area under consideration and the reasons why its proposed designation as a residential permit parking area is being either considered or withdrawn. Similar notice shall be mailed to each household which reasonably can be identified within the affected area.

b. The hearing shall be conducted either at a meeting of the appropriate common council committee or at a site determined by the commissioner. If held at a site determined by the commissioner, a report of both oral and written citizen comments shall be presented by the commissioner to the common council for action.

**6. JURISDICTION.** At said public hearing, the commissioner shall recommend by report to the council, based upon the record of his or her investigation, whether or not to designate the area under consideration as a residential permit parking area or to retain or remove the designation in the case of an established residential permit parking area. The council shall approve or disapprove the recommendation of the commissioner at its next meeting.

**7. ISSUANCE OF PERMIT.** Following council approval of the designation of a residential permit parking area, the police department shall issue appropriate permits and the commissioner of public works shall cause parking signs to be erected in the area, indicating the time, locations and conditions under which parking shall be by permit only. A permit shall be issued upon application and payment of the applicable fee, only to the owner or the operator of a motor vehicle who resides on property immediately adjacent to a street, avenue or other location within the residential permit parking area.

**8. APPLICATION AND PERMIT.**

a. Number of Vehicles per Permit. Only one residential parking permit shall be issued per household; however, each household may register 2 vehicles on the same permit provided they are both owned and operated by permanent residents of the household and only one vehicle utilizes the permit at a time.

b. Application and Permit Information.

b-1. The application form shall contain the name, address and Wisconsin driver's license number of the owner or operator of each vehicle, and the make, model and registration number of each vehicle. At the time of application, each applicant must present to the police department a valid driver's license with the same address as that stated on the application and the motor vehicle registration for each vehicle listed on the application. Each vehicle must have valid Wisconsin motor vehicle license plates. If the owner of the vehicle has applied for, but not received Wisconsin license plates, the police department shall accept a receipt of sale and a copy of the license plate application as proof of registration.

b-2. The permit shall display the date of issuance, expiration date, and permit number, along with the license number, make and year of each car and the commuter parking impacted area in which the permit holder resides.

b-3. Permits may be renewed annually by the police department.

**9. PARKING AREA LOCATIONS.**

a. Parking Permitted. The holder of a residential parking permit shall be permitted to stand or park the vehicle to which the permit applies in a commuter parking impacted area for a period of time in excess of posted time limits. Such standing or parking shall be permitted only within the commuter impacted parking area of which the permit holder is a resident. While a vehicle for which a residential parking permit has been issued is so parked, such permit shall be displayed so as to be clearly visible through the lower left side of the windshield of the vehicle. A residential parking permit shall not guarantee or reserve to the holder a parking space within a commuter parking impacted area.

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b. Compliance. A residential parking permit shall not authorize the holder thereof to stand or park a motor vehicle in such places or during such times as the stopping, standing or parking of motor vehicles is prohibited or set aside for specified types of vehicles, nor exempt the holder from the observance of any traffic regulation other than the specified hourly parking limit.

c. Locations of Commuter Parking Impacted Areas. After adoption by the common council, an area map showing all streets of the impacted parking area shall be prepared by the department of public works. The map showing all streets of the impacted parking area, as adopted by the common council shall be found in the common council proceedings, the official record on file in the city clerk's office, and the code on file in the legislative reference bureau.

c-1. Alverno College Impacted area, bounded by both sides of S. 37th St. from the north line of W. Morgan Ave. to the south line of W. Ruskin St., both sides of W. Ohio Ave. from S. 37th St. to S. 39th St. and both sides of S. 39th St. from the south line of W. Euclid Ave. to the north line of W. Morgan Ave.

(File #941330, Jan. 24, 1995; eff. Feb. 10, 1995.)

c-2. Bay View High School impacted area, S. Adams and E. Potter. (File #77-1645-a, April 11, 1978.)

c-3. W. Capitol Drive and N. Sherman Blvd., business area. (File #80-1290-a, Dec. 19, 1980.)

c-4. Cutler Hammer impacted area, along N. 24th St. between W. Capitol Dr. and W. Hope Ave. (File #80-116-a, July 29, 1980.)

c-5. Cutler Hammer impacted area, N. 27 St. and W. Congress St. (File #77-1228-a, Feb. 7, 1978.)

c-6. Globe Union, Inc., impacted area, bounded by E. Keefe Ave. and N. Humboldt Blvd., E. Townsend St. and N. Booth St. (File #78-1656-a, Feb. 27, 1979.)

c-7. Harley Davidson plant impacted area, N. 35 St. and W. Highland Blvd. (File #76-1290, Jan. 18, 1977.)

c-8. Harnischfeger plant impacted area, bounded by both sides of S. 36th Street from the north line of W. National Avenue to W. Pierce Street, both sides of W. Pierce Street from S. 36th Street to the center line of S. 39th Street (city limits), south

along the center line of S. 39th St. to the north line of W. National Avenue. (File #910202, May 14, 1991, eff. June 1, 1991.)

c-9. John Marshall High School-W. Capitol Drive Business Area. (File # 80-24-a, June 17, 1980; File #80-24-b, Oct. 21, 1980.)

c-10. North Division High School impacted area, N. 9th St. to N. 12th St., W. Hadley to W. Wright St. (File #81-52-a, July 7, 1981.)

c-11. W. North Avenue and N. 44 St. business area. (File #77-387-a, July 26, 1977.)

c-12. N. Prospect Ave. - E. Ogden Ave., impacted area, bounded by N. Prospect Ave. on the east, E. Ogden Ave. on the north, N. Milwaukee St. on the west and E. Wells St. on the south. (File #911931, Feb. 11, 1992; eff. Feb. 28, 1992. c-12 am. File #050325, July 26, 2005; eff. Aug. 12, 2005.)

c-13. Pulaski High School impacted area, S. 27 St. and W. Oklahoma Ave. (File #77-1231-a, Feb. 7, 1978. c-12 m. to c-13 by File #911931, Feb. 11, 1992; eff. Feb. 28, 1992.)

c-14. Saint Francis Hospital impacted area, bounded by S. 15<sup>th</sup> St. on the east, S. 20<sup>th</sup> St. on the west, W. Oklahoma Ave. on the north and W. Holt Ave. on the south, excluding both sides of the 3300 block of S. 19<sup>th</sup> St. bounded by W. Ohio Ave. on the north and W. Holt Ave. on the south. (File #82-207-b, Nov. 9, 1982. c-13 m. to c-14 by File #911931, Feb. 11, 1992; eff. Feb. 28, 1992. c-14 rc. by File #051219, Feb. 7, 2006; eff. Feb. 24, 2006.)

c-15. Saint Joseph's Hospital impacted area, N. 47 St. and W. Hadley St. (File #77-1133-a, Dec. 22, 1977. c-14 m. to c-15 by File #911931, Feb. 11, 1992; eff. Feb. 28, 1992.)

c-16. Saint Luke's Hospital impacted area, S. 28 St. and W. Lakefield Ave. (File #77-502-a, Oct. 25, 1977. c-15 m. to c-16 by File #911931, Feb. 11, 1992; eff. Feb. 28, 1992. c-16 am. File #011631, June 25, 2002; eff. July 13, 2002.)

c-17. A. O. Smith Corporation impacted area, N. 24 Pl. and W. Capitol Dr. (File #76-1127-a, Feb. 8, 1977. c-16 m. to c-17 by File #911931, Feb. 11, 1992; eff. Feb. 28, 1992.)

c-18. University of Wisconsin impacted area, N. Cambridge and E. Edgewood Ave. (File #74-1446-d, May 11, 1976. c-17 m. to c-18 by File #911931, Feb. 11, 1992; eff. Feb. 28, 1992.)

c-19. Washington High School impacted area, N. Grant Blvd. and W. Center St. (File #75-

2186-a, June 1, 1976. c-18 rn. to c-19 by File #911931, Feb. 11, 1992; eff. Feb. 28, 1992.)

**10. PARKING OF SERVICE VEHICLES.**

a. Service Vehicle Parking Permitted. Clearly-identifiable service vehicles shall be allowed to park within commuter parking impacted areas in excess of posted limits between the hours of 7 a.m. and 9 p.m., Monday through Friday, provided a property owner within a commuter parking impacted area first notifies the commissioner that the vehicle will be present in the area to perform services at his or her property. A property owner shall provide his or her address as well as such information as may be required by the commissioner to properly identify the service vehicle. Notice shall be provided to the commissioner no less than 24 hours prior to the time the vehicle is to be in the commuter parking impacted area. If the vehicle is to be in the commuter impacted parking area on more than one day, separate notice to the commissioner shall be required for each day the vehicle is parked on the street.

b. Effective Area. The provisions of this subsection shall only apply to the University of Wisconsin impacted area as described in sub. 9-c-18.

**11. TRANSFERABILITY.** a. Only the registered motor vehicle named on the residential parking permit shall be eligible to display this permit. Any transference of this permit to a vehicle other than that named on the permit shall constitute a violation of this regulation.

b. It shall constitute a violation of this regulation for any person to falsely represent himself as eligible for a residential parking permit or to furnish any false information in an application to the city clerk in order to obtain a residential parking permit.

c. The police department is authorized and directed to revoke the residential parking permit of any permittee found to be in violation of this regulation and, upon written notification thereof, the permittee shall surrender such permit to the police department. Failure, when so requested, to surrender a residential parking permit so revoked shall constitute a violation of this regulation.

(HISTORY: Section 101-27.7 cr. File #74-1446, Oct. 21, 1975.

101-27.7-9-c-0 cr. File #74-1446-a, May 11, 1976.

101-27.7-9-a am. File #72-1283-c, July 25, 1978.

101-27.7-8 rc. File #85-1189, Nov. 12, 1985.

101-27.7-3 am. File #911770, Jan. 21, 1992; eff. Feb. 7, 1992.

101-27.7-4 rc. File #911770, Jan. 21, 1992; eff. Feb. 7, 1992.

101-27.7-5 rc. File #911770, Jan. 21, 1992; eff. Feb. 7, 1992.

101-27.7-6 am. File #911770, Jan. 21, 1992; eff. Feb. 7, 1992.

101-27.7-9-a rc. File #950739, Nov. 6, 1995; eff. Nov. 14, 1995.

101-27.7-9-c-1 to 19 rn. File #941330, Jan. 24, 1995; eff. Feb. 10, 1995.

101-27.7-8-b-2 am. File #991420, May 19, 2000; eff. June 8, 2000.

101-27.7-7 am. File #010854, Nov. 9, 2001; eff. Jan. 1, 2002.

101-27.7-8-b-1 am. File #010854, Nov. 9, 2001; eff. Jan. 1, 2002.

101-27.7-10-c am. File #010854, Nov. 9, 2001; eff. Jan. 1, 2002.

101-27.7-1 am. File #020887, Oct. 15, 2002; eff. Nov. 1, 2002.

101-27.7-3 am. File #020887, Oct. 15, 2002; eff. Nov. 1, 2002.

101-27.7-10 rn. File #020673, June 24, 2003; eff. July 11, 2003.

101-27.7-10 cr. File #020673, June 24, 2003; eff. July 11, 2003.

101-27.7-9-c-0 am. File #030862, Nov. 5, 2003; eff. Nov. 22, 2003.

101-27.7-10 became null and void Jan. 11, 2004 per the provisions of File #020673.

101-27.7-10 cr. File #031622, April 13, 2004; eff. April 30, 2004.)

**101-28. Time Limits on Parking Regulations.**

**1. EXCEPTIONS.** Except as otherwise provided, time limitations on parking shall not be in force between the hours of 7 p.m. and 7 a.m. or on Sundays and holidays.

**2. HOLIDAYS.** The term holiday shall include the 1st day of January, New Year's Day; the last Monday in May, Memorial Day; the 4th day of July, Independence Day; the 1st Monday in September, Labor Day; and the 25th day of

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December, Christmas; and the day designated by the President of the United States as a day of Thanksgiving.

*(HISTORY: Section 101-28 am. File #72-5, May 9, 1972.)*

### 101-29. Vehicles For Sale On Public Property.

1. FINDINGS. The common council finds that a disproportionate number of vehicles that are for sale on public property are unlicensed, unregistered or are offered for sale by individuals who have no legal authority to do so, and that, further, the sale of stolen vehicles to unsuspecting individuals victimizes not only those from whom the vehicles are stolen but those who purchase them. This section is established pursuant to the responsibility of the common council to legislate for the protection of the health, safety and welfare of the people of the city of Milwaukee.

2. DEFINITION. For the purpose of this section "motor vehicle" means a vehicle as defined in s. 340.01(35), Wis. Stats.

3. CERTIFICATE REQUIRED. No person shall leave any motor vehicle that is for sale on public property without first applying for and receiving a certificate from the department of public works. Each vehicle that is for sale shall require a separate certificate.

4. APPLICATION. a. Certificates shall be obtained from the department of public works or other facilities authorized by the common council.

b. Applicants for certificates shall fill out the appropriate application and pay the fee set forth in ch. 81.

c. Vehicles for which certificates are sought shall be inspected by the commissioner of public works or his or her designee. No certificate shall be issued for a vehicle that does not meet all of the following criteria:

c-1. The vehicle shall be the property of the person applying for the certificate as demonstrated by title or the applicant shall present the vehicle's title as well as a signed affidavit from the vehicle's owner authorizing the vehicle's sale by the applicant.

c-2. The vehicle's vehicle identification number shall not have been altered in such a way as to render it illegible.

c-3. While a motor vehicle that is for sale is on public property, the certificate shall be displayed in the manner designated by the department of public works.

5. VEHICLES TO BE LEGALLY PARKED. A certificate issued pursuant to this section shall not permit the vehicle for which it is issued to be parked in a manner contrary to any other provision of the code.

6. APPLICABILITY. The provisions of this section shall apply to:

a. That area of the city bounded by West Pierce Street on the north, South 20<sup>th</sup> Street on the east, West Cleveland Avenue on the south, and South 38<sup>th</sup> Street on the west.

b. The area bounded by West Greenfield Avenue on the north, South 6<sup>th</sup> Street on the east, West Lincoln Avenue on the south and South 16<sup>th</sup> Street, and South Cesar E. Chavez Drive on the west.

c. The area bounded by West Cleveland Avenue on the north, South 6<sup>th</sup> Street on the east, West Oklahoma Avenue on the south, and South 9<sup>th</sup> Place on the west.

*(HISTORY: Section 101-29 cr. File #030701, Nov. 5, 2003; eff. Nov. 22, 2003; 101-29 became null and void May 23, 2004 per the sunset provisions of File #030701.*

*101-29 cr. File #040130, June 15, 2004; eff. July 2, 2004.*

*101-29-6 rc. File #041631, Sept. 27, 2005; eff. Oct. 14, 2005.)*

### 101-30. Leaving of Ignition Keys in a Parked Auto.

1. LOCK REQUIRED. Every passenger motor vehicle except a common carrier of passengers is required to be equipped with a lock suitable to lock either the starting lever, throttle, steering apparatus, gear shift lever, brake system or ignition system.

2. ON PUBLIC STREET. No person may permit a motor vehicle in his custody to stand or remain unattended on any street, alley or in any other public place, except an attended parking area, unless either the starting lever, throttle, steering apparatus, gear shift, brake system or ignition of said vehicle is locked and the key for such lock is removed from the vehicle. This subsection shall not apply to motor trucks when the engine must be kept running

while the truck is standing or parked in order to provide power for auxiliary devices, appliances, accessories or machinery that are or is related to nondriving occupational operations, provided that the operator of the motor truck is in the near vicinity of the truck engaged in assigned or related duties while the engine is running, and further provided that the vehicle must be equipped with positive neutral position brake locks plus a safety override, or similar appropriate safety features.

*(HISTORY: Section 101-30 am. File #81-760, Oct. 6, 1981.)*

**101-31. Civil Defense Emergency Regulations.**

**1. DECLARATION OF EMERGENCY.** A civil defense emergency is declared to exist requiring special regulation of vehicular traffic and parking, whenever there shall be declared by the authorities responsible for so doing, either a civil defense alert, whether strategic or tactical, or a civil defense test exercise, necessitating either the evacuation of persons from the city or the movement of persons to special places of shelter in order to properly provide for the public safety under such conditions. Such emergency is declared to continue for a period of 24 hours after the announcement of any strategic alert, and for a period commencing 2 hours before and extending until 4 hours after the conclusion of any announced test exercise.

**2. TO CONTROL TRAFFIC.** The chief of police is authorized to promulgate appropriate detailed orders relative to control or immobilization of traffic during a civil defense emergency and, upon the filing thereof with the city clerk, such requirements shall be a part of this section, of the same force and effect, and the penalties hereinafter prescribed shall apply to any violation of such orders.

**3. PENALTY.** Any person violating this section shall upon conviction thereof be subject to forfeiture of not less than \$10 nor more than \$100 together with the cost of prosecution, and in default of payment thereof, shall be imprisoned in the county jail or the house of correction until such fines and costs are paid, such imprisonment not to exceed 15 days.

*(HISTORY: Section 101-31, cr. File #70-1621, Jan. 18, 1972.)*

**101-32. Parking Meter Regulations and Zones.**

**1. PURPOSE.** As a means of partially relieving traffic congestion in certain sections of the city caused by the increased volume of traffic, general abuse of parking privileges, and the limited number of parking spaces available in said sections; to afford better control and regulation of traffic moving to and from said congested sections, and to establish a more efficient system for the enforcement of parking regulations; to facilitate greater freedom for vehicle operators in transacting business requiring a relatively short period of time, and as an exercise of the police power, the installation, use and maintenance of parking meters in the city is authorized.

**2. DEFINITIONS.** The following words and phrases, when used in this section, shall have the meaning respectively ascribed to them except in those instances where the context clearly indicates a different meaning:

a. "Parking meter." Any mechanical device or meter, not inconsistent with this section, placed or erected for the regulation of parking by the authority of this section.

b. "Parking meter zone." Any restricted area, street, alley, avenue, road, highway, lane, off-street parking area or structure, upon which parking meters are authorized to be installed.

c. "Parking meter space." Any space within a parking meter zone adjacent to a parking meter and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked on the curb or surface adjacent to or adjoining a parking meter.

**3. PARKING METER ZONES (LOCATIONS).**

a. FIFTEEN MINUTE, nickels, dimes or quarters only parking meter zones.

am. Twenty-five minute, nickels, dimes or quarters only parking meter zones.

b. THIRTY MINUTE, nickels, dimes or quarters only parking meter zones.

c. ONE HOUR, 20, 25, 50 cents or one dollar per hour, nickels, dimes or quarters only parking meter zones.

c-1. One hour, 20 cents per hour.

c-2. One hour, 25 cents per hour.

c-3. One hour, 50 cents per hour.

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- c-4. One hour, one dollar per hour.
- d. TWO HOUR, 20, 25, 50 cents or one dollar per hour, nickels, dimes or quarters only parking meter zones.
  - d-1. Two hour, 20 cents per hour.
  - d-2. Two hour, 25 cents per hour.
  - d-3. Two hour, 50 cents per hour.
  - d-4. Two hour, one dollar per hour.
- e. THREE HOUR, 20, 25, 50 cents or one dollar per hour, nickels, dimes or quarters only parking meter zones.
  - e-1. Three hour, 20 cents per hour.
  - e-2. Three hour, 25 cents per hour.
  - e-3. Three hour, 50 cents per hour.
  - e-4. Three hour, one dollar per hour.
- f. FIVE HOUR, 20, 25, 50 cents or one dollar per hour, nickels, dimes or quarters only parking meter zones.
  - f-1. Five hour, 20 cents per hour.
  - f-2. Five hour, 25 cents per hour.
  - f-3. Five hour, 50 cents per hour.
  - f-4. Five hour, one dollar per hour.
- g. TEN HOUR, 20, 25, 50 cents or one dollar per hour, nickels, dimes or quarters only parking meter zones.
  - g-1. Ten hour, 20 cents per hour.
  - g-2. Ten hour, 25 cents per hour.
  - g-3. Ten hour, 50 cents per hour.
  - g-4. Ten hour, one dollar per hour.

Specific locations of parking meter zones are to be found in the common council proceedings; the official record on file in the city clerk's office; and the code on file in the legislative reference bureau.

**4. DESIGNATION OF PARKING METER SPACES.** The commissioner of public works is directed to mark off parking meter spaces of appropriate length in parking meter zones by lines painted, or otherwise durably marked, on the curb or surface area of said zones.

**5. OPERATION OF PARKING METERS.** The commissioner of public works shall install parking meters upon the curb, sidewalk or surface area immediately adjacent to each parking meter space. He shall be responsible for the regulation, control, operation and maintenance of such parking meters. Each parking meter shall be set so as to display automatically a signal showing legal parking upon the deposit therein of the required coin or

coins of the United States for the period of time prescribed by ordinance. Each parking meter shall be so designed that it will indicate by an appropriate visible signal that the lawful parking period has expired.

### **6. USE OF PARKING METERS.**

The operator of every vehicle, upon entering a parking meter space adjacent to which a parking meter is located shall deposit in such parking meter the proper coin or coins of the United States as required by the directions on the meter and to remove his vehicle therefrom prior to the expiration of the maximum legal parking time of the parking meter zone.

*(HISTORY: Section 101-32 cr. File #70-1621, Jan. 18, 1972.*

*101-32-3 rc. File #870008, June 16, 1987; eff. July 3, 1987.*

*101-32-3-b am. File #900812, Sept. 25, 1990; eff. Oct. 12, 1990.*

*101-32-3-c-5 cr. File #900812, Sept. 25, 1990; eff. Oct. 12, 1990.*

*101-32-3-d-5 cr. File #900812, Sept. 25, 1990; eff. Oct. 12, 1990.*

*101-32-3-e-5 cr. File #900812, Sept. 25, 1990; eff. Oct. 12, 1990.*

*101-32-3-f-5 cr. File #900812, Sept. 25, 1990; eff. Oct. 12, 1990.*

*101-32-3-g-5 cr. File #900812, Sept. 25, 1990; eff. Oct. 12, 1990.*

*101-32-3 rc. File #920839, Oct. 13, 1992; eff. Oct. 30, 1992.*

*101-32-7 cr. File #970524, July 25, 1997; eff. Sept. 6, 1997.*

*101-32-7 rp. File #980618, Sept. 23, 1998; eff. Oct. 10, 1998.*

*101-32-3-am cr. File #040827, Nov. 3, 2004; eff. Nov. 20, 2004.)*

**101-32.4. Damaging or Tampering With Parking Meters.** Any person who, without lawful authority, opens, removes or damages any parking meter, or possesses a key or device specifically designed to open or break any parking meter, or possesses a drawing, print or mold of a key or device specifically designed to open or break any parking meter within the limits of the city of Milwaukee, shall be fined not less than \$50 nor more than \$500 or, upon default of payment thereof, be imprisoned in the house

of correction of Milwaukee county for not more than 30 days.

(HISTORY: Section 101-32.4 cr. File #73-1868, Feb. 26, 1974.)

**101-33. Parking Lot and Off-Street Parking Regulations.**

**1. TO INSTALL PARKING GATES.** Whenever the common council has designated the municipal off-street parking lots which shall be controlled and regulated with the use of parking gates, the commissioner of public works is authorized and directed to install such gates, and in conjunction with the police department to control and regulate the use of such lots having parking gates. Parking gates shall be so constructed as to take coins of the United States of America for such period or periods of time as may be established by resolution or ordinance from time to time. Such parking gates shall also be wired so that if desired by the common council and the common council has so authorized, token acceptors or card slots may be adapted to such parking gates.

**2. TO INSTALL METERS.** Whenever the common council by resolution or ordinance has designated a municipal off-street parking lot to be controlled and regulated with the use of parking meters, the commissioner of public works is directed to install and maintain such meters and to mark appropriate parking meter spaces to comply with the limitations or restrictions provided in the resolution or ordinance and, in conjunction with the police department, to control and regulate the use of such lots.

**3. PERMIT PARKING.** a. On Off-street Parking Lots. With respect to the following municipal off-street parking lots controlled and regulated by the issuance of permits, the commissioner of public works is directed to supply such permits and mark and maintain appropriate parking spaces and, in conjunction with the police department, to control and regulate the use of such lots. The police department is directed to administer the sale of such permits and to provide enforcement for the lots. See ch. 81 for the required fees.

b. Locations. Specific locations of off-street parking lots to be found in the common council proceedings; the official records on file in the city clerk's office; and the code on file in the legislative reference bureau.

**4. TO ERECT SIGNS.** The commissioner of public works is directed to erect and maintain on municipal off-street parking lots appropriate signs indicating the limitations or restrictions on parking provided in the resolution or ordinance for such lot.

**5. SEPARATION AND USE OF FUNDS.** The city treasurer shall deposit said funds in a separate and special fund or funds to be known as "parking meter fund." Said fund shall be used to help defray expense of the purchase and installation of parking meters, the maintenance, repair and operation of parking meters, the purchase, maintenance and repair of equipment for handling coins collected from parking meters and off-street parking sites, construction of off-street parking structures or facilities, and the amortization and payment of interest on revenue bonds issued for off-street sites, structures or facilities.

(HISTORY: Section 101-33 cr. File #70-1621, Jan. 18, 1972.

101-33-3 and 4 rn. to 4 and 5, File #75-2237, March, 30, 1976.

101-33-3-b cr. File #75-2237, March 30, 1976; eff. April 15, 1976.

101-33-3-a am. File #79-163, June 12, 1979.

101-33-3-b rc. File #80-1671, Jan. 20, 1981; eff. Jan. 28, 1981.

101-33-3-b rc. File 83-1269, Nov. 8, 1983; eff. Nov. 30, 1983.

101-33-3-b rc. File #85-644, July 30, 1985; eff. Aug. 9, 1985.

101-33-3-b rc. File #882366, April 4, 1989; eff. April 22, 1989.)

**101-33.5. City-Owned Bicycle Lockers.**

**1. PERMIT AND USE REGULATIONS.** The commissioner of public works is authorized and directed to develop, implement and administer a program for the permitted use of bicycle lockers installed by the city in city-owned off-street parking lots, public right-of-way or city buildings, on other city grounds or on property owned by Milwaukee county, the state of Wisconsin or the United States of America. No bicycle lockers shall be installed on property that is not owned by the city unless the common council approves an agreement between the city and the property owner that specifies the terms

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and conditions of installation, maintenance, repair, relocation or removal of such lockers. The commissioner is further authorized and directed to control and regulate the use of city-installed bicycle lockers and to erect and maintain appropriate signs indicating the limitations or restrictions on use of such lockers. The police department is authorized and directed to provide enforcement of bicycle locker regulations.

2. FEES. The commissioner of public works shall collect permit fees for the use of city-installed bicycle lockers. See ch. 81 for the required fees.

(HISTORY: 101-33.5 cr. File #971444, Jan. 20, 1998; eff. Feb. 6, 1998.)

### 101-34. Stipulation Procedure; Nonmoving Traffic Violations.

1. PROCEDURE. Any person to whom a citation has been issued for a nonmoving traffic violation in this section may be permitted to enter into a stipulation with the city of Milwaukee providing for a forfeiture of money which may be paid at the city's violation bureau's payment centers or may appear in municipal court to answer the charges as set forth in the citation.

2. FORFEITURE SCHEDULE. The forfeiture upon stipulation under this section shall be in accordance with the following schedule:

a. Citations issued for violation of s. 101-27 except 101-27-1-a and 4: \$15.

b. Citations issued for violation of ss. 101-23-4 and 6, 101-27-7-d, 101-30 and 101-33: \$20.

c. Citations issued for parking in prohibited zones, whether required to be posted or not, excluding violation of s. 101-27: \$30.

d. Citations issued for violation of ss. 101-26.5, 101-26.7, 101-27-4 and 101-29: \$30.

e. Citations issued for violation of ss. 101-23-10, 101-26 and 101-27 during a snow emergency declared under s. 101-26: \$35.

f. Citations issued for violation of ss. 101-24, 101-24.1, 101-24.2, 101-24.5, 101-24.7 and 101-25: \$50.

g. Citations issued for violation of s. 101-23.5: \$40.

h. Citations issued for violation of ss. 101-23-9-a-3 and 101-27-1-a: \$30.

i. Citations issued for violations of s. 346.505, Wis. Stats., adopted by s. 101-3: \$180.

j. Citations issued for violations of ss. 101-18 and 101-23-11: \$55.

k. Citations issued for violations of ss. 101-23, 101-23.5, 101-24, 101-24.1 and 101-24.2 occurring between the hours of 8:00 p.m. and 5:00 a.m. and occurring upon a street designated as a cruising area under s. 101-20.5 including the land within the street lines whether or not improved: the forfeiture upon stipulation for violations provided in pars. b, f and g shall be increased by \$10.

3. PAYMENT AFTER 10 DAYS. The forfeiture schedule shall be increased as follows unless for good cause shown the city attorney, chief of police or his designee extends such time limit:

a. If a stipulation is not entered into within 10 days commencing at 6:00 p.m. on the day the citation is issued, the forfeiture shall be increased by \$5.

b. If a stipulation is not entered into within 28 days commencing at 6:00 p.m. on the day the citation is issued, the forfeiture shall be increased by \$10.

c. If a stipulation is not entered into within 58 days commencing at 6:00 p.m. on the day the citation is issued, the forfeiture shall be increased by \$25. Five dollars of the increased forfeiture amount may be used to pay the cost of using the Wisconsin traffic violation and registration program.

4. STIPULATION DEPOSIT. a. The amount of the forfeiture for such violations shall be paid in cash, money order, bank check or by other means acceptable to the city of Milwaukee and shall be made payable to the city of Milwaukee. Such payment may be made by mail as provided on the citation.

b. No officer or city authority shall be personally or officially responsible for payment of any dishonored check in payment for any forfeiture.

5. DEPOSIT WITH THE CITY TREASURER. The forfeiture received shall be deposited with the city treasurer.

6. FAILURE TO PAY FORFEITURE. If the alleged violator fails to pay the amount of the forfeiture as provided herein or to appear in



court within 28 days after the issuance of a nonmoving traffic citation, the city may take any or all of the actions authorized under s. 345.28, Wis. Stats.

**7. PENALTY.** Any person found in violation of the provisions of this section shall upon conviction be subject to a forfeiture in accordance with the following ranges plus all taxable fees and costs for each such violation:

- a. Violations of s. 101-27 except s. 101-27-1-a and 4: \$15 to \$45.
- b. Violations of ss. 101-23-4 and 6, 101-27-7-d, 101-30 and 101-33: \$20 to \$50.
- c. Parking in prohibited zones, whether required to be posted or not, excluding s. 101-27 of this code and s. 346.505, Wis. Stats., adopted by s. 101-3: \$30 to \$50.
- d. Violations of ss. 101-26.5, 101-26.7, 101-27-4 and 101-29: \$30 to \$50.
- e. Violations of ss. 101-23-10, 101-26 and 101-27 during a snow emergency declared under s. 101-26: \$35 to \$55.
- f. Violations of ss. 101-24, 101-24.1, 101-24.2, 101-24.5, 101-24.7 and 101-25: \$50 to \$70.
- g. Violations of s. 346.505, Wis. Stats., adopted by s. 101-3: \$180 to \$300.
- h. Violations of s. 101-23.5: \$40 to \$60.
- i. Violations of ss. 101-23-9-a-3 and 101-27-1-a.: \$30 to \$50.
- j. Violations of s. 101-18: \$55 to \$75.
- k. Violations of ss. 101-23, 101-23.5, 101-24, 101-24.1 and 101-24.2 occurring between the hours of 8:00 p.m. and 5:00 a.m. and occurring upon a street designated as a cruising area under s. 101-20.5 including the land within the street lines whether or not improved: the lower extent of the range for violations provided in pars. b, f and h shall be increased by \$15.

**8. COSTS.** Pursuant to ss. 345.28(4)(d) and 800.10(6), Wis. Stats., in any case where a defendant is convicted of violating any of the provisions of this section, and notice to the Wisconsin department of transportation was submitted pursuant to s. 345.28(4), Wis. Stats., by the city or pursuant to s. 345.47(1)(d), Wis. Stats., by the

court, the disbursed cost of each such notice shall be taxed as an item of costs.

*(HISTORY: Section 101-34-3 to 6 rc. File #81-2095, Apr. 20, 1982.*

*101-34-8 cr. File #82-1305, Dec. 17, 1982.*

*101-34-2-a to f rc. File #85-840-a, Oct. 22, 1985.*

*101-34-2-a am. File #85-840-f, Oct. 23, 1985.*

*101-34-2-a and d am. File #85-840-f, Oct. 23, 1985.*

*101-34-2-g and h cr. File #85-840-f, Oct. 23, 1985.*

*101-34-7 rc. File #85-840-f, Oct. 23, 1985; eff. Jan. 1, 1986.*

*101-34-1 rc. File #890441, July 25, 1989; eff. Aug. 15, 1989.*

*101-34-7-j cr. File #890441, July 25, 1989; eff. Aug. 15, 1989.*

*101-34-7-d am. File #890806, Oct. 31, 1989; eff. Nov. 18, 1989.*

*101-34-2-d am. File #890806, Oct. 31, 1989; eff. Nov. 18, 1989.*

*101-34-2-i am. File #901419, Jan. 22, 1991; eff. Feb. 8, 1991.*

*101-34-2-a am. File #931739, Sept. 27, 1994; eff. Jan. 1, 1995.*

*101-34-7-a am. File #931739, Sept. 27, 1994; eff. Jan. 1, 1995.*

*101-34-2-b am. File #941797, June 6, 1995; eff. June 23, 1995.*

*101-34-7-b am. File #941797, June 6, 1995; eff. June 23, 1995.*

*101-34-2-g am. File #960168, June 4, 1996; eff. June 21, 1996.*

*101-34-2-j cr. File #960168, June 4, 1996; eff. June 21, 1996.*

*101-34-7-h am. File #960168, June 4, 1996; eff. June 21, 1996.*

*101-34-7-k cr. File #960168, June 4, 1996; eff. June 21, 1996.*

*101-34-2-g am. File #961022, Feb. 11, 1997; eff. Feb. 28, 1997.*

*101-34-2-j rp. File #961022, Feb. 11, 1997; eff. Feb. 28, 1997.*

*101-34-7-h am. File #961022, Feb. 11, 1997; eff. Feb. 28, 1997.*

*101-34-7-k rp. File #961022, Feb. 11, 1997; eff. Feb. 28, 1997.*

*101-34-2-c am. File #980536, Nov. 13, 1998; eff. Dec. 4, 1998.*

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101-34-2-e am. File #980536, Nov. 13, 1998; eff. Dec. 4, 1998.

101-34-2-f am. File #980536, Nov. 13, 1998; eff. Dec. 4, 1998.

101-34-2-h am. File #980536, Nov. 13, 1998; eff. Dec. 4, 1998.

101-34-2-i rc. File #980536, Nov. 13, 1998; eff. Dec. 4, 1998.

101-34-2-j cr. File #980536, Nov. 13, 1998; eff. Dec. 4, 1998.

101-34-7-c am. File #980536, Nov. 13, 1998; eff. Dec. 4, 1998.

101-34-7-e am. File #980536, Nov. 13, 1998; eff. Dec. 4, 1998.

101-34-7-f am. File #980536, Nov. 13, 1998; eff. Dec. 4, 1998.

101-34-7-i am. File #980536, Nov 13, 1998; eff. Dec. 4, 1998.

101-34-3-c am. File #990594, July 29, 1999; eff. Sept. 1, 1999.

101-34-7-g am. File #990863, Oct. 19, 1999; eff. Nov. 5, 1999.

101-34-2-b am. File #990471, Sept. 28, 1999; eff. Jan. 1, 2000.

101-34-2-d am. File #990471, Sept. 28, 1999; eff. Jan. 1, 2000.

101-34-2-g am. File #990471, Sept. 28, 1999; eff. Jan. 1, 2000.

101-34-7-b am. File #990471, Sept. 28, 1999; eff. Jan. 1, 2000.

101-34-7-d am. File #990471, Sept. 28, 1999; eff. Jan. 1, 2000.

101-34-7-h am. File #990471, Sept. 28, 1999; eff. Jan. 1, 2000.

101-34-2-a am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-2-b am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-2-c am. File #000973, Nov. 10, 2000; eff. Jan 1, 2001.

101-34-2-d am. File #000973, Nov. 10, 2000 eff. Jan. 1, 2001.

101-34-2-e am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-2-f am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-2-g am. File #000973, Nov. 10, 2000; eff. Jan 1, 2001.

101-34-2-h am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-2-i am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-2-j am. File #000973, Nov. 10, 2000; eff. Jan.1, 2001.

101-34-7-a am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-7-b am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-7-c am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-7-e am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-7-f am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-7-g am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-7-h am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-7-i am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-7-j am. File #000973, Nov. 10, 2000; eff. Jan. 1, 2001.

101-34-2-a am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-2-b am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-2-c am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-2-d am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-2-e am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-2-f am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-2-g am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-2-h am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-2-i am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-2-j am. File #001660, June 19, 2001 eff. July 1, 2001.

101-34-7-a am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-7-b am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-7-c am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-7-d am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-7-e am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-7-g am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-7-h am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-7-i am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-7-j am. File #001660, June 19, 2001; eff. July 1, 2001.

101-34-2-d am. File #011722, April 23, 2002; eff. May 7, 2002.

101-34-2-h am. File # 011611, May 14, 2002; eff. June 1, 2002.

101-34-2-j am. File #011611, May 14, 2002; eff. June 1, 2002.

101-34-7-i am. File #011611, May 14, 2002; eff. June 1, 2002.

101-34-2-f am. File #021284, Jan. 22, 2003; eff. Feb. 8, 2003.

101-34-2-i am. File #021320, Jan. 22, 2003; eff. Feb. 8, 2003.

101-34-7-f am File #021284, Jan. 22, 2003; eff. Feb. 8, 2003.

101-34-7-g am. File #021320, Jan. 22, 2003; eff. Feb. 8, 2003.

101-34-7-g am. File #021691, Mar. 25, 2003; eff. April 11, 2003.

101-34-2-d am. File #021704, June 24, 2003; eff. July 11, 2003.

101-34-7-d am. File #021704, June 24, 2003; eff. July 11, 2003.

101-34-1 am. File #030862, Nov. 5, 2003; eff. Nov. 22, 2003.

101-34-2-d am. File #030701, Nov. 5, 2003; eff. Nov. 22, 2003.

101-34-4-a am. File #030862, Nov. 5, 2003; eff. Nov. 22, 2003.

101-34-5 am. File #030862, Nov. 5, 2003; eff. Nov. 22, 2003.

101-34-6 am. File #030862, Nov. 5, 2003; eff. Nov. 22, 2003.

101-34-7-d am. File #030701, Nov. 5, 2003; eff. Nov. 22, 2003.

101-34-8 am. File #030862, Nov. 5, 2003; eff. Nov. 22, 2003.

101-34-2-d am. File #040130, June 15, 2004; eff. July 2, 2004.

101-34-7-d am. File #040130, June 15, 2004; eff. July 2, 2004.

101-34-2-f am. File #051344, Apr. 11, 2006; eff. Apr. 29, 2006.

101-34-7-f am. File #051344, Apr. 11, 2006; eff. Apr. 29, 2006.

101-34-2-k cr. File #051702, July 12, 2006; eff. July 29, 2006.

101-34-7-k cr. File #051702, July 12, 2006; eff. July 29, 2006.)

**101-37. Implied Consent.** The city of Milwaukee adopts ss. 343.01 and 343.305, Wis. Stats. (1969), and all subsequent amendments thereto.

(HISTORY: Section 101-37 cr. File #72-1174-c, Oct. 3, 1972.)

**101-40. Transfer of Title. 1.** ADOPTION OF STATE LAW. The city of Milwaukee adopts s. 342.15(4) and (7), Wis. Stats., 1969, and all subsequent amendments thereto including the penalties to be imposed.

**2.** VIOLATIONS. Upon conviction of a violation of said section so adopted, the court shall enter a judgment of forfeiture against the violator, payable to the city, within the range of forfeitures provided in s. 342.15(7), Wis. Stats., 1969, for violation of such section, in addition to taxable costs, and in default of payment thereof order confinement in the county jail or house of correction until such forfeiture and costs are paid but not to exceed 30 days.

(HISTORY: Section 101-40 cr. File #72-1174-b, Oct. 2, 1972.)

**101-41. Permitting Unauthorized Person to Drive.**

**1.** ADOPTION OF STATE LAW. The city of Milwaukee adopts s. 343.45, Wis. Stats., 1969, and all subsequent amendments thereto.

**2.** VIOLATIONS. Upon conviction of a violation of said section so adopted, the court shall enter a judgment of forfeiture provided by s. 343.45(3), Wis. Stats., in addition to taxable costs, and in default of payment thereof order confinement in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 30 days.

(HISTORY: Section 101-41 cr. File #72-1174-b, Oct. 2, 1972.)

**101-41.5. Driving After License Revocation or Suspension. 1.** ADOPTION OF STATE LAW. The city of Milwaukee adopts s. 343.44(1), (2)(a)1 and (3), Wis. Stats., and all subsequent amendments thereto.

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2. APPLICABILITY. This section is applicable only to first time violations of operating a motor vehicle after revocation or suspension and does not apply if either the revocation or suspension is the basis of a violation imposed as a result of a conviction under ss. 346.04(3), 346.63(1) or (2), 346.67, 940.06, 940.08, 940.09 or 940.25, Wis. Stats., or for any felony in the commission of which a motor vehicle was used.

3. PENALTY. Upon conviction of a violation of said section so adopted, the court shall enter a judgment of forfeiture provided by s. 343.44(2)(a)1, Wis. Stats., in addition to taxable costs and in default of payment thereof

order confinement in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 30 days.

(HISTORY: Section 101-41.5 cr. File #83-1479, Jan. 4, 1984.)

### 101-42. Miscellaneous Highway Provisions.

1. ADOPTION OF STATE LAW. The city of Milwaukee adopts the following sections of ch. 86, Wis. Stats., 1977, and all subsequent amendments thereto including the penalties to be imposed:

- a. 86.01 Materials left in highway.
- b. 86.02 Injury to highway.
- c. 86.021 Cultivation in highway.
- d. 86.022 Obstructing highway with an embankment or ditch.
- e. 86.025 Camping on highway.
- f. 86.03 Trees on highways.
- g. 86.06 Highway closed to travel.
- h. 86.07 Digging in highways or using bridges for advertising.
- i. 86.19 Unauthorized signs on highway.

2. PENALTY. Upon conviction of the sections so adopted herein, the court shall enter a judgment of forfeiture within the range provided in each section enumerated in addition to taxable costs, and in default of payment thereof order confinement in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed the number of days specified in each case.

(HISTORY: Section 101-42 cr. File #79-557, July 24, 1979.)

### 101-43. Traffic Signs, Defacement or Removal.

1. PROHIBITED. No person may injure, deface or remove any sign, guideboard, traffic control or marker, barricade or any other traffic control device erected by a political corporation, governmental subdivision or agency thereof for the warning, instruction or information of the public.

2. DEFINITION. In sub. 3, the meaning of "possess" includes the presence of any sign, guideboard, traffic signal or marker, barricade or any other traffic control device on premises owned or controlled by the person, including but not limited to a rented apartment, rented room, dormitory room or garage.

3. MAY NOT POSSESS. No person may possess any sign, guideboard, traffic signal or marker, barricade or any other traffic control device erected by a political corporation, governmental subdivision or agency thereof for the warning, instruction or information of the public unless such person proves by a preponderance of the evidence that he or she has legal title thereto.

4. NOTIFICATION. Persons who voluntarily notify a law enforcement agency or the city of the presence on the premises of such a sign, guideboard, traffic signal or marker, barricade or any other traffic control device shall be exempt from the prosecution under sub. 3.

5. PENALTY. A violation of any provision of this section shall be punishable upon conviction by a fine of not less than \$100 nor more than \$500, or in lieu of nonpayment or default of such fine, costs and disbursements, by imprisonment in the house of correction of Milwaukee county for a period of not less than 10 days and not more than 60 days. A second or subsequent violation of any provision of this section shall be punishable upon conviction by a fine of not less than \$250 nor more than \$500, or in lieu of nonpayment or default of such fine, costs and disbursements, by imprisonment in the house of correction of Milwaukee county for a period of not less than 25 days and not more than 60 days.

(HISTORY: Section 101-43, cr. File #81-1227, Dec. 7, 1982.)

**101-44. Bus Stop Locations and Regulations.**

1. LOCATIONS. No operator of a duly authorized common carrier of passengers may regularly stop on any highway within the limits of this city for the purpose of receiving or discharging passengers except at such locations approved by the transit stop subcommittee of the utilities and licenses committee of the common council. Formal action by the common council shall not be required except in cases of dispute. The infrastructure services division of the department of public works shall keep and maintain an appropriate record of such locations approved by the transit stop subcommittee of the common council.

2. DISCHARGING OF PASSENGERS. Motor buses when stopping to discharge or take on passengers, other than at a marked safety zone, shall stop in such a manner that any person alighting or boarding shall be able to do so directly from the sidewalk or curb line without entering on or upon the public highway; provided that the latter is free from obstructions which prevent proper approach, and that the normal angle of approach is not disturbed by other street obstructions, such as a double-parked vehicle or street construction.

3. PENALTY. Any person violating this section shall, upon conviction, forfeit not less than \$10 nor more than \$100 together with the costs of prosecution, or upon default of payment, be imprisoned in the county house of correction not to exceed 10 days, or until such forfeiture costs are paid.

*(HISTORY: 101-44 cr. File #871505, Dec. 22, 1987; eff. Jan. 15, 1988.*

*101-44-1 am. File #951008, Dec. 19, 1995; eff. Jan. 13, 1996.*

*101-44-2 am. File #951346, Jan. 23, 1996; eff. Feb. 2, 1996.)*

**101-50. Fees for Special Parking Signs, Meters, etc.** The applicant shall pay the commissioner of public works the fees required for the following services:

1. The fee for the installation of church directional signs which are authorized by the commissioner of public works shall be that amount required in s. 81-108.

2. The fee for removal of parking meters to accommodate facilities other than loading zones shall be the amount required in s. 81-82.

3. The fee for the temporary removal or hooding of parking meters shall be the amount required in s. 81-83.

4. The fee for the temporary removal of welded meters shall be the amount required in s. 81-83.

5. The fee for the traffic signal timing schedule information and copy per intersection shall be that amount required in s. 81-128.

6. No sign, box or decoration may be attached to any city-owned poles or similar facilities without first obtaining a permit from the commissioner of public works. See s. 81-107 for the required permit fee.

7. The revenue received from fees paid for the removal of parking meters shall be credited to the city's parking fund.

*(HISTORY: Section 101-50 rn. from 2-81 File #881930, March 7, 1989; eff. March 25, 1989.*

*101-50-3 am. File #920839, Oct. 13, 1992; eff. Oct. 30, 1992.*

*101-50-4 rn. to 101-50-5, File #920839, Oct. 13, 1992; eff. Oct. 30, 1992.*

*101-50-4 cr. File #920839, Oct. 13, 1992; eff. Oct. 30, 1992.*

*101-50-5 rn. to 101-50-6 File #920839, Oct. 13, 1992; eff. Oct. 30, 1992.*

*101-50-6 rn. to 101-50-7 File #920839, Oct. 13, 1992; eff. Oct. 30, 1992.)*

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